

Annual Administrative Code Supplement
2012 Edition

DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF THE DIRECTOR
DELAYED REGISTRATION OF BIRTHS

R 326.1
Source: 1997 AACS.

R 326.2
Source: 1997 AACS.

R 326.3
Source: 1997 AACS.

R 326.4
Source: 1997 AACS.

R 326.5
Source: 1997 AACS.

DISTRICT AND COUNTY HEALTH DEPARTMENTS

PART 1. SERVICES

R 327.1
Source: 1997 AACS.

R 327.2
Source: 1997 AACS.

R 327.3
Source: 1997 AACS.

R 327.4
Source: 1997 AACS.

R 327.5
Source: 1997 AACS.

R 327.6
Source: 1997 AACS.

R 327.7
Source: 1997 AACS.

R 327.8
Source: 1997 AACS.

R 327.9
Source: 1997 AACS.

R 327.10
Source: 1997 AACS.

PART 2. PERSONNEL CLASSIFICATION AND QUALIFICATIONS

Annual Administrative Code Supplement
2012 Edition

- R 327.41**
Source: 1979 AC.
- R 327.45**
Source: 1979 AC.
- R 327.47**
Source: 1997 AACS.
- R 327.51**
Source: 1979 AC.
- R 327.53**
Source: 1979 AC.
- R 327.55**
Source: 1979 AC.
- R 327.57**
Source: 1979 AC.
- R 327.59**
Source: 1979 AC.
- R 327.61**
Source: 1979 AC.
- R 327.63**
Source: 1979 AC.
- R 327.65**
Source: 1979 AC.
- R 327.67**
Source: 1979 AC.
- R 327.69**
Source: 1979 AC.
- R 327.71**
Source: 1979 AC.
- R 327.73**
Source: 1979 AC.
- R 327.75**
Source: 1979 AC.
- R 327.77**
Source: 1979 AC.

DEPARTMENT OF COMMUNITY HEALTH

HEALTH PROGRAMS ADMINISTRATION - BUREAU OF CHILDREN AND FAMILY PROGRAMS

DETERMINATION OF DEATHS OF CHILDREN

R 330.1

Annual Administrative Code Supplement
2012 Edition

Source: 2007 AACs.

R 330.2

Source: 2007 AACs.

R 330.3

Source: 2007 AACs.

R 330.4

Source: 2007 AACs.

DIRECTOR OF COMMUNITY HEALTH
GENERAL RULES

R 330.20

Source: 1997 AACs.

R 330.21

Source: 1997 AACs.

R 330.30

Source: 1997 AACs.

R 330.31

Source: 1997 AACs.

R 330.32

Source: 1997 AACs.

R 330.33

Source: 1997 AACs.

R 330.34

Source: 1997 AACs.

R 330.35

Source: 1997 AACs.

R 330.36

Source: 1997 AACs.

R 330.37

Source: 1997 AACs.

R 330.40

Source: 1997 AACs.

R 330.41

Source: 1997 AACs.

R 330.42

Source: 1997 AACs.

R 330.43

Source: 1997 AACs.

Annual Administrative Code Supplement
2012 Edition

R 330.44
Source: 1997 AACS.

R 330.45
Source: 1997 AACS.

R 330.46
Source: 1997 AACS.

R 330.47
Source: 1997 AACS.

R 330.48
Source: 1997 AACS.

R 330.50
Source: 1997 AACS.

R 330.51
Source: 1997 AACS.

R 330.52
Source: 1997 AACS.

R 330.53
Source: 1997 AACS.

R 330.54
Source: 1997 AACS.

R 330.55
Source: 1997 AACS.

R 330.56
Source: 1997 AACS.

R 330.60
Source: 1997 AACS.

R 330.61
Source: 1997 AACS.

R 330.62
Source: 1997 AACS.

R 330.63
Source: 1997 AACS.

R 330.64
Source: 1997 AACS.

R 330.70
Source: 1997 AACS.

R 330.80
Source: 1997 AACS.

R 330.81
Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

R 330.82
Source: 1997 AACS.

R 330.83
Source: 1997 AACS.

R 330.84
Source: 1997 AACS.

R 330.90
Source: 1997 AACS.

R 330.91
Source: 1997 AACS.

R 330.92
Source: 1997 AACS.

R 330.93
Source: 1997 AACS.

R 330.94
Source: 1997 AACS.

R 330.95
Source: 1997 AACS.

R 330.96
Source: 1997 AACS.

R 330.97
Source: 1997 AACS.

R 330.98
Source: 1997 AACS.

R 330.99
Source: 1997 AACS.

R 330.100
Source: 1997 AACS.

R 330.101
Source: 1997 AACS.

R 330.102
Source: 1997 AACS.

R 330.103
Source: 1997 AACS.

R 330.104
Source: 1997 AACS.

R 330.105
Source: 1997 AACS.

R 330.106
Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

R 330.107
Source: 1997 AACS.

R 330.108
Source: 1997 AACS.

R 330.109
Source: 1997 AACS.

R 330.111
Source: 1997 AACS.

R 330.112
Source: 1997 AACS.

R 330.113
Source: 1997 AACS.

R 330.114
Source: 1997 AACS.

R 330.115
Source: 1997 AACS.

R 330.116
Source: 1997 AACS.

R 330.117
Source: 1997 AACS.

HEALTH LEGISLATION AND POLICY DEVELOPMENT
GENERAL RULES

PART 1. DEPARTMENT OF MENTAL HEALTH

SUBPART 1. GENERAL PROVISIONS

R 330.1001
Source: 1998-2000 AACS.

R 330.1005
Source: 1983 AACS.

R 330.1010
Source: 1997 AACS.

R 330.1015
Source: 1979 AC.

R 330.1017
Source: 1981 AACS.

R 330.1019
Source: 1983 AACS.

R 330.1021
Source: 1979 AC.

Annual Administrative Code Supplement
2012 Edition

R 330.1028
Source: 1979 AC.

R 330.1031
Source: 1979 AC.

R 330.1034
Source: 1979 AC.

R 330.1037
Source: 1979 AC.

R 330.1041
Source: 1979 AC.

R 330.1045
Source: 1979 AC.

R 330.1051
Source: 1979 AC.

R 330.1053
Source: 1979 AC.

R 330.1055
Source: 1979 AC.

R 330.1057
Source: 1979 AC.

R 330.1059
Source: 1979 AC.

R 330.1075
Source: 1997 AACS.

**SUBPART 4. LICENSING AND REGULATION OF MENTAL HEALTH HOSPITALS, PSYCHIATRIC
FACILITIES, AND PSYCHIATRIC UNITS**

R 330.1201
Source: 1988 AACS.

R 330.1210
Source: 1984 AACS.

R 330.1213
Source: 1979 AC.

R 330.1214
Source: 1990 AACS.

R 330.1215
Source: 1979 AC.

R 330.1220
Source: 1979 AC.

R 330.1223

Annual Administrative Code Supplement
2012 Edition

Source: 1979 AC.

R 330.1226

Source: 1979 AC.

R 330.1228

Source: 1979 AC.

R 330.1232

Source: 1979 AC.

R 330.1235

Source: 1979 AC.

R 330.1239

Source: 1990 AACS.

R 330.1243

Source: 1990 AACS.

R 330.1250

Source: 1979 AC.

R 330.1252

Source: 1979 AC.

R 330.1255

Source: 1986 AACS.

R 330.1260

Source: 1979 AC.

R 330.1265

Source: 1981 AACS.

R 330.1267

Source: 1979 AC.

R 330.1269

Source: 1983 AACS.

R 330.1274

Source: 1979 AC.

R 330.1275

Source: 1990 AACS.

R 330.1276

Source: 1988 AACS.

R 330.1279

Source: 1979 AC.

R 330.1281

Source: 1986 AACS.

R 330.1285

Source: 1986 AACS.

Annual Administrative Code Supplement
2012 Edition

R 330.1287
Source: 1986 AACS.

R 330.1289
Source: 1986 AACS.

R 330.1291
Source: 1986 AACS.

R 330.1295
Source: 1979 AC.

R 330.1299
Source: 1979 AC.

SUBPART 5. FOSTER CARE CONTRACT REVOCATION

R 330.1401
Source: 1997 AACS.

SUBPART 6. FAMILY SUPPORT SUBSIDY PROGRAM

R 330.1601
Source: 2004 AACS.

R 330.1606
Source: 2004 AACS.

R 330.1607
Source: 1990 AACS.

R 330.1611
Source: 1984 AACS.

R 330.1613
Source: 1984 AACS.

R 330.1616
Source: 1984 AACS.

R 330.1621
Source: 1990 AACS.

R 330.1626
Source: 1990 AACS.

R 330.1631
Source: 1984 AACS.

R 330.1636
Source: 1984 AACS.

R 330.1641
Source: 1984 AACS.

R 330.1643
Source: 1984 AACS.

Annual Administrative Code Supplement
2012 Edition

R 330.1646
Source: 1984 AACS.

R 330.1651
Source: 1984 AACS.

R 330.1656
Source: 2003 AACS.

**SUBPART 7. PLACEMENT OF ADULTS WHO HAVE A MENTAL ILLNESS OR A DEVELOPMENTAL
DISABILITY INTO COMMUNITY-BASED DEPENDENT LIVING SETTINGS**

R 330.1701
Source: 1996 AACS.

R 330.1702
Source: 1996 AACS.

R 330.1703
Source: 1996 AACS.

R 330.1704
Source: 1996 AACS.

**SUBPART 8. CERTIFICATION OF SPECIALIZED PROGRAMS OFFERED IN ADULT FOSTER CARE HOME
TO CLIENTS WITH MENTAL ILLNESS OR DEVELOPMENTAL DISABILITY**

R 330.1801
Source: 1996 AACS.

R 330.1802
Source: 1996 AACS.

R 330.1803
Source: 1996 AACS.

R 330.1804
Source: 1996 AACS.

R 330.1805
Source: 1996 AACS.

R 330.1806
Source: 1996 AACS.

R 330.1807
Source: 1996 AACS.

R 330.1808
Source: 1996 AACS.

R 330.1809
Source: 1996 AACS.

PART 2. COUNTY COMMUNITY MENTAL HEALTH SERVICES PROGRAMS

SUBPART 1. COMMUNITY MENTAL HEALTH SERVICES

Annual Administrative Code Supplement
2012 Edition

R 330.2005
Source: 1986 AACS.

R 330.2006
Source: 1983 AACS.

R 330.2007
Source: 1986 AACS.

R 330.2008
Source: 1979 AC.

R 330.2009
Source: 1979 AC.

R 330.2010
Source: 1979 AC.

R 330.2011
Source: 1979 AC.

R 330.2012
Source: 1981 AACS.

R 330.2013
Source: 1984 AACS.

R 330.2014
Source: 1986 AACS.

R 330.2022
Source: 1986 AACS.

SUBPART 2. COMMUNITY MENTAL HEALTH BOARD REPORTS

R 330.2035
Source: 1979 AC.

R 330.2038
Source: 1986 AACS.

R 330.2039
Source: 1986 AACS.

R 330.2041
Source: 1979 AC.

R 330.2044
Source: 1979 AC.

R 330.2051
Source: 1979 AC.

R 330.2052
Source: 1979 AC.

R 330.2055
Source: 1979 AC.

Annual Administrative Code Supplement
2012 Edition

R 330.2058
Source: 1979 AC.

SUBPART 4. COMMUNITY MENTAL HEALTH BOARD

R 330.2063
Source: 1979 AC.

R 330.2067
Source: 1986 AACS.

R 330.2071
Source: 1986 AACS.

SUBPART 5. COMMUNITY MENTAL HEALTH DIRECTOR

R 330.2081
Source: 1990 AACS.

SUBPART 6. CHILDREN'S DIAGNOSTIC AND TREATMENT SERVICE

R 330.2105
Source: 1990 AACS.

R 330.2110
Source: 1990 AACS.

R 330.2115
Source: 1990 AACS.

R 330.2120
Source: 1990 AACS.

R 330.2125
Source: 1990 AACS.

R 330.2130
Source: 1990 AACS.

R 330.2135
Source: 1997 AACS.

SUBPART 7. CERTIFICATION PROCESS

R 330.2701
Source: 1997 AACS.

R 330.2702
Source: 1997 AACS.

R 330.2703
Source: 1997 AACS.

SUBPART 8. CERTIFICATION STANDARDS

R 330.2801
Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

R 330.2802
Source: 1997 AACS.

R 330.2803
Source: 1997 AACS.

R 330.2804
Source: 1997 AACS.

R 330.2805
Source: 1997 AACS.

R 330.2806
Source: 1997 AACS.

R 330.2807
Source: 1997 AACS.

R 330.2808
Source: 1997 AACS.

R 330.2809
Source: 1997 AACS.

R 330.2810
Source: 1997 AACS.

R 330.2811
Source: 1997 AACS.

R 330.2812
Source: 1997 AACS.

R 330.2813
Source: 1997 AACS.

R 330.2814
Source: 1997 AACS.

PART 3. STATE AND COUNTY FINANCIAL RESPONSIBILITY

R 330.3005
Source: 1979 AC.

R 330.3007
Source: 1979 AC.

R 330.3009
Source: 1979 AC.

R 330.3010
Source: 1997 AACS.

R 330.3013
Source: 1979 AC.

R 330.3015
Source: 1979 AC.

Annual Administrative Code Supplement
2012 Edition

R 330.3016
Source: 1979 AC.

R 330.3017
Source: 1986 AACS.

**PART 4. ADMINISTRATIVE ACTION FOR MENTALLY ILL PERSONS REQUIRING TREATMENT AND
THOSE DEEMED CLINICALLY SUITABLE FOR HOSPITALIZATION**

SUBPART 1. DESIGNATED HOSPITALS

R 330.4005
Source: 1997 AACS.

R 330.4008
Source: 1997 AACS.

SUBPART 2. TRANSFER REQUIREMENTS

R 330.4011
Source: 1986 AACS.

R 330.4013
Source: 1986 AACS.

R 330.4015
Source: 1997 AACS.

SUBPART 3. ADMISSION CONDITIONS

R 330.4025
Source: 1997 AACS.

R 330.4028
Source: 1997 AACS.

R 330.4031
Source: 1979 AC.

R 330.4033
Source: 1997 AACS.

R 330.4035
Source: 1997 AACS.

R 330.4039
Source: 1981 AACS.

R 330.4043
Source: 1997 AACS.

R 330.4045
Source: 1986 AACS.

R 330.4047
Source: 1986 AACS.

R 330.4049

Annual Administrative Code Supplement
2012 Edition

Source: 1986 AACS.

R 330.4051

Source: 1979 AC.

R 330.4055

Source: 1979 AC.

R 330.4059

Source: 1997 AACS.

SUBPART 4. PERIODIC REVIEW

R 330.4065

Source: 1997 AACS.

R 330.4067

Source: 1997 AACS.

SUBPART 5. RELEASE AND DISCHARGE

R 330.4075

Source: 1997 AACS.

R 330.4077

Source: 1990 AACS.

R 330.4081

Source: 1997 AACS.

R 330.4083

Source: 1990 AACS.

R 330.4086

Source: 1997 AACS.

R 330.4089

Source: 1979 AC.

R 330.4091

Source: 1997 AACS.

R 330.4093

Source: 1997 AACS.

R 330.4095

Source: 1997 AACS.

PART 4A. CIVIL ADMISSION AND DISCHARGE PROCEDURES FOR EMOTIONALLY DISTURBED MINORS

SUBPART 1. GENERAL PROVISIONS

R 330.4501

Source: 1990 AACS.

R 330.4510

Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

R 330.4512
Source: 1997 AACS.

R 330.4515
Source: 1997 AACS.

SUBPART 2. ADMISSIONS

R 330.4601
Source: 1997 AACS.

R 330.4603
Source: 1990 AACS.

R 330.4606
Source: 1997 AACS.

R 330.4611
Source: 1990 AACS.

SUBPART 3. PERIODIC REVIEW

R 330.4616
Source: 1997 AACS.

SUBPART 4. CHANGE IN STATUS OF HOSPITALIZATION

R 330.4620
Source: 1990 AACS.

R 330.4621
Source: 1997 AACS.

R 330.4626
Source: 1990 AACS.

R 330.4631
Source: 1990 AACS.

R 330.4636
Source: 1990 AACS.

R 330.4641
Source: 1990 AACS.

R 330.4646
Source: 1990 AACS.

SUBPART 5. OBJECTION TO HOSPITALIZATION PROCESS

R 330.4651
Source: 1990 AACS.

R 330.4656
Source: 1990 AACS.

R 330.4661
Source: 1990 AACS.

**PART 5. ADMINISTRATIVE ACTION FOR DEVELOPMENTALLY DISABLED PERSONS REQUIRING CARE
AND TREATMENT**

SUBPART 1. DESIGNATED RESIDENTIAL FACILITIES

R 330.5005
Source: 1986 AACS.

R 330.5008
Source: 1997 AACS.

SUBPART 2. TRANSFER REQUIREMENTS

R 330.5011
Source: 1997 AACS.

R 330.5013
Source: 1997 AACS.

R 330.5015
Source: 1979 AC.

SUBPART 3. ADMISSION CONDITIONS

R 330.5025
Source: 1997 AACS.

R 330.5028
Source: 1997 AACS.

R 330.5031
Source: 1981 AACS.

R 330.5033
Source: 1983 AACS.

R 330.5039
Source: 1979 AC.

R 330.5043
Source: 1979 AC.

R 330.5045
Source: 1997 AACS.

SUBPART 4. PERIODIC REVIEW

R 330.5065
Source: 1997 AACS.

R 30.5067
Source: 1979 AC.

SUBPART 5. RELEASE AND DISCHARGE

R 330.5075
Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

- R 330.5077**
Source: 1979 AC.
- R 330.5081**
Source: 1997 AACS.
- R 330.5083**
Source: 1997 AACS.
- R 330.5086**
Source: 1981 AACS.
- R 330.5089**
Source: 1979 AC.
- R 330.5091**
Source: 1979 AC.
- R 330.5093**
Source: 1997 AACS.
- R 330.5095**
Source: 1997 AACS.

**PART 6. GUARDIANSHIP FOR RECIPIENTS OF MENTAL
HEALTH SERVICES**

- R 330.6006**
Source: 1979 AC.
- R 330.6008**
Source: 1979 AC.
- R 330.6011**
Source: 1979 AC.
- R 330.6013**
Source: 1981 AACS.
- R 330.6015**
Source: 1979 AC.
- R 330.6022**
Source: 1979 AC.
- R 330.6025**
Source: 1979 AC.
- R 330.6027**
Source: 1979 AC.
- R 330.6031**
Source: 1986 AACS.

PART 7. RIGHTS OF RECIPIENTS OF MENTAL HEALTH SERVICES
SUBPART 1. GENERAL PROVISIONS

Annual Administrative Code Supplement
2012 Edition

R 330.7001
Source: 2009 AACS.

R 330.7002
Source: 1998-2000 AACS.

R 330.7003
Source: 1998-2000 AACS.

R 330.7005
Source: 1998-2000 AACS.

SUBPART 2. RIGHTS OF RECIPIENTS OF MENTAL HEALTH SERVICES

R 330.7009
Source: 2007 AACS.

R 330.7011
Source: 2007 AACS.

R 330.7012
Source: 1998-2000 AACS.

R 330.7014
Source: 1998-2000 AACS.

R 330.7017
Source: 1998-2000 AACS.

R 330.7029
Source: 1998-2000 AACS.

R 330.7032
Source: 1998-2000 AACS.

R 330.7035
Source: 1998-2000 AACS.

R 330.7037
Source: 1998-2000 AACS.

R 330.7045
Source: 1998-2000 AACS.

R 330.7046
Source: 2007 AACS.

R 330.7051
Source: 1998-2000 AACS.

SUBPART 3. ADDITIONAL RIGHTS OF RESIDENTS OF FACILITIES

R 330.7125
Source: 1998-2000 AACS.

R 330.7131
Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

R 330.7135
Source: 1998-2000 AACS.

R 330.7139
Source: 1998-2000 AACS.

R 330.7142
Source: 1998-2000 AACS.

R 330.7145
Source: 1998-2000 AACS.

R 330.7151
Source: 1998-2000 AACS.

R 330.7158
Source: 2007 AACS.

R 330.7161
Source: 1998-2000 AACS.

R 330.7165
Source: 1998-2000 AACS.

R 330.7171
Source: 1981 AACS.

R 330.7175
Source: 1998-2000 AACS.

R 330.7181
Source: 1998-2000 AACS.

R 330.7185
Source: 1998-2000 AACS.

R 330.7188
Source: 1998-2000 AACS.

R 330.7189
Source: 1998-2000 AACS.

R 330.7191
Source: 1998-2000 AACS.

R 330.7195
Source: 1998-2000 AACS.

SUBPART 3. ADDITIONAL RIGHTS OF RESIDENTS OF FACILITIES

R 330.7199 Written plan of services.

Rule 7199. (1) The individualized written plan of services is the fundamental document in the recipient's record. A provider shall retain all periodic reviews, modifications, and revisions of the plan in the recipient's record.

(2) The plan shall identify, at a minimum, all of the following:

(a) All individuals, including family members, friends, and professionals that the individual desires or requires to be part of the planning process.

Annual Administrative Code Supplement
2012 Edition

- (b) The services, supports, and treatments that the recipient requested of the provider.
 - (c) The services, supports, and treatments committed by the responsible mental health agency to honor the recipient's request specified in subdivision (b) of this subrule.
 - (d) The person or persons who will assume responsibility for assuring that the committed services and supports are delivered.
 - (e) When the recipient can reasonably expect each of the committed services and supports to commence, and, in the case of recurring services or supports, how frequently, for what duration, and over what period of time.
 - (f) How the committed mental health services and supports will be coordinated with the recipient's natural support systems and the services and supports provided by other public and private organizations.
 - (g) Limitations of the recipient's rights. Limitations of the recipient's rights, any intrusive behavior treatment techniques, or any use of psycho-active drugs for behavior control purposes shall be reviewed and approved by a specially constituted body comprised of at least 3 individuals, 1 of whom shall be a fully- or limited- licensed psychologist with the formal training or experience in applied behavior analysis, and 1 of whom shall be a licensed physician/psychiatrist. Both of the following apply:
 - (i) Limitations of the recipient's rights, any intrusive treatment techniques or any use of psychoactive drugs where the target behavior is due to an active substantiated Axis 1 psychiatric diagnosis listed in the Diagnostic and Statistical Manual of Mental Disorders need not be reviewed and approved by a specially constituted body described in this subdivision. DSM-IV-TR (Text Revision), 2000, published by the American Psychiatric Association, is adopted by reference and can be obtained from American Psychiatric Publishing Inc., 1000 Wilson Boulevard, Suite 1825, Arlington, VA 22209 at a cost of \$60.00. This manual is also available from the Michigan Department of Community Health, Office of Psychiatric and Medical Services, 320 South Walnut, Lansing, MI 48913 for the cost noted above plus \$20.00 shipping and handling.
 - (ii) Any limitation shall be justified, time-limited, and clearly documented in the plan of service. Documentation shall be included that describes attempts that have been made to avoid limitations, as well as what actions will be taken as part of the plan to ameliorate or eliminate the need for the limitations in the future.
 - (h) Strategies for assuring that a recipient has access to needed and available supports identified through a review of his or her needs. Areas of possible need may include any of the following:
 - (i) Food.
 - (ii) Shelter.
 - (iii) Clothing.
 - (iv) Physical health care.
 - (v) Employment.
 - (vi) Education.
 - (vii) Legal services.
 - (viii) Transportation.
 - (ix) Recreation.
 - (i) A description of any involuntary procedures and the legal basis for performing them.
 - (j) A specific date or dates when the overall plan, and any of its subcomponents will be formally reviewed for possible modification or revision.
- (3) The plan shall not contain privileged information or communications.
- (4) Except as otherwise noted in subrule (5) of this rule, the individual plan of service shall be formally agreed to in whole or in part by the responsible mental health agency and the recipient, his or her guardian, if any, or the parent who has legal custody of a minor recipient. If the appropriate signatures are unobtainable, then the responsible mental health agency shall document witnessing verbal agreement to the plan. Copies of the plan shall be provided to the recipient, his or her guardian, if any, or the parent who has legal custody of a minor recipient.
- (5) Implementation of a plan without agreement of the recipient, his or her guardian, if any, or parent who has legal custody of a minor recipient may only occur when a recipient has been adjudicated under section 469a, 472a, 473, 515, 518, or 519 of the act. However, if the proposed plan in whole or in part is implemented without the concurrence of the adjudicated recipient or his or her guardian, if any, or the parent who has legal custody of a minor recipient, then the stated objections of the recipient or his or her guardian or the parent who has legal custody of a minor recipient shall be included in the plan.
- History: 1979 AC; 1984 AACS; 1986 AACS; 1990 AACS; 1998 AACS; 2007 AACS; 2009 AACS; 2012 MR 5, Eff. Mar. 6, 2012.

R 330.7205

Source: 1998-2000 AACS.

Annual Administrative Code Supplement
2012 Edition

- R 330.7221**
Source: 1997 AACS.
- R 330.7227**
Source: 1998-2000 AACS.
- R 330.7229**
Source: 1998-2000 AACS.
- R 330.7231**
Source: 1998-2000 AACS.
- R 330.7235**
Source: 1998-2000 AACS.
- R 330.7239**
Source: 1998-2000 AACS.
- R 330.7243**
Source: 2009 AACS.
- R 330.7251**
Source: 1998-2000 AACS.
- R 330.7253**
Source: 1998-2000 AACS.
- R 330.7254**
Source: 1998-2000 AACS.
- R 330.7260**
Source: 1981 AACS.

PART 8. FINANCIAL LIABILITY FOR MENTAL HEALTH SERVICES

- R 330.8005**
Source: 1997 AACS.
- R 330.8008**
Source: 1997 AACS.
- R 330.8012**
Source: 1997 AACS.
- R 330.8014**
Source: 1979 AC.
- R 330.8016**
Source: 1979 AC.
- R 330.8018**
Source: 1979 AC.
- R 330.8021**
Source: 1979 AC.
- R 330.8024**
Source: 1981 AACS.

SUBPART 2. COMMUNITY MENTAL HEALTH

R 330.8201
Source: 1997 AACS.

R 330.8204
Source: 1997 AACS.

R 330.8205
Source: 1997 AACS.

R 330.8206
Source: 1997 AACS.

R 330.8207
Source: 1997 AACS.

R 330.8208
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R 330.8209
Source: 1997 AACS.

R 330.8210
Source: 1997 AACS.

R 330.8214
Source: 1997 AACS.

R 330.8215
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R 330.8217
Source: 1997 AACS.

R 330.8220
Source: 1997 AACS.

R 330.8224
Source: 1997 AACS.

R 330.8227
Source: 1997 AACS.

R 330.8229
Source: 1997 AACS.

R 330.8230
Source: 1997 AACS.

R 330.8234
Source: 1997 AACS.

R 330.8237
Source: 1997 AACS.

R 330.8238
Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

R 330.8239
Source: 1997 AACS.

R 330.8240
Source: 1997 AACS.

R 330.8241
Source: 1997 AACS.

R 330.8242
Source: 1997 AACS.

R 330.8244
Source: 1997 AACS.

R 330.8250
Source: 1997 AACS.

R 330.8251
Source: 1997 AACS.

R 330.8254
Source: 1997 AACS.

R 330.8256
Source: 1997 AACS.

R 330.8257
Source: 1997 AACS.

R 330.8264
Source: 1997 AACS.

R 330.8267
Source: 1997 AACS.

R 330.8270
Source: 1997 AACS.

R 330.8273
Source: 1997 AACS.

R 330.8275
Source: 1997 AACS.

R 330.8277
Source: 1997 AACS.

R 330.8279
Source: 1997 AACS.

R 330.8280
Source: 1997 AACS.

R 330.8284
Source: 1997 AACS.

PART 9. MISCELLANEOUS PROVISIONS

Annual Administrative Code Supplement
2012 Edition

SUBPART 1. LAFAYETTE CLINIC

R 330.9001
Source: 1997 AACS.

R 330.9005
Source: 1997 AACS.

R 330.9007
Source: 1997 AACS.

R 330.9009
Source: 1997 AACS.

R 330.9011
Source: 1997 AACS.

SUBPART 2. NEURO-PSYCHIATRIC INSTITUTE

R 330.9121
Source: 1997 AACS.

R 330.9123
Source: 1997 AACS.

R 330.9125
Source: 1997 AACS.

SUBPART 3. ADMINISTRATIVE PROCEDURE

R 330.9201
Source: 1997 AACS.

R 330.9205
Source: 1997 AACS.

R 330.9208
Source: 1997 AACS.

R 330.9210
Source: 1997 AACS.

R 330.9215
Source: 1997 AACS.

R 330.9220
Source: 1997 AACS.

R 330.9222
Source: 1997 AACS.

R 330.9225
Source: 1997 AACS.

SUBPART 4. IMPACT STATEMENTS

R 330.9301

Annual Administrative Code Supplement
2012 Edition

Source: 1986 AACS.

R 330.9306

Source: 1986 AACS.

SUBPART 5. CONDUCT ON DEPARTMENT PROPERTY

R 330.9401

Source: 1988 AACS.

R 330.9406

Source: 1988 AACS.

R 330.9411

Source: 1988 AACS.

R 330.9416

Source: 1988 AACS.

R 330.9421

Source: 1988 AACS.

R 330.9426

Source: 1988 AACS.

R 330.9431

Source: 1988 AACS.

PART 10. CRIMINAL PROVISIONS

SUBPART 1. TRANSFER OF PRISONERS

R 330.10001

Source: 1997 AACS.

R 330.10002

Source: 1997 AACS.

R 330.10003

Source: 1997 AACS.

R 330.10004

Source: 1997 AACS.

R 330.10005

Source: 1997 AACS.

R 330.10006

Source: 1997 AACS.

R 330.10006a

Source: 1997 AACS.

R 330.10007

Source: 1997 AACS.

R 330.10008

Source: 1981 AACS.

Annual Administrative Code Supplement
2012 Edition

R 330.10009
Source: 1981 AACS.

R 330.10010
Source: 1997 AACS.

R 330.10011
Source: 1981 AACS.

R 330.10012
Source: 1997 AACS.

R 330.10013
Source: 1981 AACS.

R 330.10014
Source: 1981 AACS.

R 330.10015
Source: 1997 AACS.

R 330.10016
Source: 1997 AACS.

R 330.10017
Source: 1997 AACS.

R 330.10018
Source: 1997 AACS.

R 330.10019
Source: 1997 AACS.

R 330.10020
Source: 1997 AACS.

R 330.10021
Source: 1997 AACS.

R 330.10022
Source: 1997 AACS.

R 330.10023
Source: 1997 AACS.

R 330.10024
Source: 1997 AACS.

R 330.10025
Source: 1997 AACS.

R 330.10026
Source: 1997 AACS.

R 330.10027
Source: 1997 AACS.

R 330.10028
Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

R 330.10029
Source: 1997 AACS.

SUBPART 2. FORENSIC EXAMINATIONS

R 330.10055
Source: 1988 AACS.

R 330.10056
Source: 1988 AACS.

R 330.10057
Source: 1988 AACS.

R 330.10058
Source: 1988 AACS.

R 330.10059
Source: 1988 AACS.

R 330.10061
Source: 1979 AC.

R 330.10065
Source: 1979 AC.

R 330.10067
Source: 1979 AC.

R 330.10071
Source: 1979 AC.

R 330.10079
Source: 1979 AC.

R 330.10085
Source: 1979 AC.

R 330.10087
Source: 1979 AC.

R 330.10089
Source: 1979 AC.

R 330.10091
Source: 1979 AC.

R 330.10093
Source: 1979 AC.

R 330.10095
Source: 1979 AC.

R 330.10097
Source: 1979 AC.

R 330.10099
Source: 1979 AC.

Annual Administrative Code Supplement
2012 Edition

DEPARTMENT OF COMMUNITY HEALTH

HEALTH LEGISLATION AND POLICY DEVELOPMENT

GENERAL RULES

PART 11. ENFORCEMENT SYSTEM FOR LONG-TERM CARE FACILITIES

R 330.11001

Source: 1998-2000 AACS.

R 330.11002

Source: 1998-2000 AACS.

R 330.11003

Source: 1998-2000 AACS.

R 330.11004

Source: 1998-2000 AACS.

R 330.11005

Source: 1998-2000 AACS.

R 330.11006

Source: 1998-2000 AACS.

R 330.11007

Source: 1998-2000 AACS.

R 330.11008

Source: 1998-2000 AACS.

R 330.11009

Source: 1998-2000 AACS.

R 330.11010

Source: 1998-2000 AACS.

R 330.11011

Source: 1998-2000 AACS.

R 330.11012

Source: 1998-2000 AACS.

R 330.11013

Source: 1998-2000 AACS.

R 330.11014

Source: 1998-2000 AACS.

R 330.11015

Source: 1998-2000 AACS.

R 330.11016

Source: 1998-2000 AACS.

R 330.11017

Source: 1998-2000 AACS.

Annual Administrative Code Supplement
2012 Edition

DEPARTMENT OF TREASURY
STATE HOSPITAL FINANCE AUTHORITY
GENERAL RULES

R 331.1
Source: 1997 AACS.

R 331.2
Source: 1997 AACS.

R 331.3
Source: 1997 AACS.

R 331.4
Source: 1997 AACS.

R 331.5
Source: 1997 AACS.

R 331.6
Source: 1997 AACS.

R 331.7
Source: 1997 AACS.

R 331.8
Source: 1997 AACS.

R 331.9
Source: 1997 AACS.

R 331.10
Source: 1997 AACS.

R 331.11
Source: 1997 AACS.

R 331.12
Source: 1997 AACS.

R 331.13
Source: 1997 AACS.

DEPARTMENT OF COMMUNITY HEALTH

DIRECTOR'S OFFICE

MICHIGAN MEDICAL MARIHUANA

GENERAL RULES

R 333.101
Source: 2009 AACS.

R 333.103
Source: 2009 AACS.

R 333.105
Source: 2009 AACS.

Annual Administrative Code Supplement
2012 Edition

R 333.107
Source: 2009 AACS.

R 333.109
Source: 2009 AACS.

R 333.111
Source: 2009 AACS.

R 333.113
Source: 2009 AACS.

R 333.115
Source: 2009 AACS.

R 333.117
Source: 2009 AACS.

R 333.119
Source: 2009 AACS.

R 333.121
Source: 2009 AACS.

R 333.123
Source: 2009 AACS.

R 333.125
Source: 2009 AACS.

R 333.127
Source: 2009 AACS.

R 333.131
Source: 2009 AACS.

R 333.133
Source: 2009 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
GENERAL RULES
PART 1. DEFINITIONS

R 336.11
Source: 1997 AACS.

R 336.12
Source: 1997 AACS.

R 336.13
Source: 1997 AACS.

R 336.14

Source: 1997 AACS.

PART 2. AIR USE APPROVAL

R 336.21

Source: 1997 AACS.

R 336.26

Source: 1997 AACS.

R 336.28

Source: 1997 AACS.

R 336.29

Source: 1997 AACS.

R 336.30

Source: 1997 AACS.

R 336.31

Source: 1997 AACS.

R 336.32

Source: 1997 AACS.

R 336.33

Source: 1997 AACS.

R 336.34

Source: 1997 AACS.

R 336.35

Source: 1997 AACS.

R 336.36

Source: 1997 AACS.

PART 3. EMISSION LIMITATIONS AND PROHIBITIONS

R 336.41—R 336.49

Source: 1997 AACS.

R 336.42

Source: 1997 AACS.

R 336.43

Source: 1997 AACS.

R 336.44

Source: 1997 AACS.

R 336.45

Source: 1997 AACS.

R 336.46

Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

R 336.47
Source: 1997 AACS.

R 336.48
Source: 1997 AACS.

R 336.49
Source: 1997 AACS.

PART 4. TESTING AND SAMPLING

R 336.51
Source: 1997 AACS.

R 336.52
Source: 1997 AACS.

R 336.53
Source: 1997 AACS.

R 336.54
Source: 1997 AACS.

PART 5. AIR CLEANING DEVICES AND COLLECTED CONTAMINANTS

R 336.61
Source: 1997 AACS.

R 336.62
Source: 1997 AACS.

PART 6. AIR POLLUTION EPISODES

R 336.71
Source: 1997 AACS.

R 336.72
Source: 1997 AACS.

R 336.73
Source: 1997 AACS.

R 336.74
Source: 1997 AACS.

R 336.75
Source: 1997 AACS.

R 336.76
Source: 1997 AACS.

R 336.77
Source: 1997 AACS.

R 336.78
Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

R 336.79
Source: 1997 AACS.

PART 7. ANNUAL REPORTING AND SURVEILLANCE FEES

R 336.81
Source: 1997 AACS.

R 336.82
Source: 1997 AACS.

R 336.83
Source: 1997 AACS.

PART 8. SUSPENSION OF ENFORCEMENT

R 336.91
Source: 1997 AACS.

R 336.92
Source: 1997 AACS.

R 336.93
Source: 1997 AACS.

R 336.94
Source: 1997 AACS.

R 336.95
Source: 1997 AACS.

R 336.96
Source: 1997 AACS.

R 336.97
Source: 1997 AACS.

PART 10. ORGANIZATION, OPERATIONS, AND PROCEDURES

R 336.101
Source: 1997 AACS.

R 336.102
Source: 1997 AACS.

R 336.103
Source: 1997 AACS.

R 336.104
Source: 1997 AACS.

R 336.105
Source: 1997 AACS.

R 336.106
Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

R 336.107
Source: 1997 AACS.

R 336.108
Source: 1997 AACS.

PART 11. HEARINGS

R 336.111
Source: 1997 AACS.

R 336.112
Source: 1997 AACS.

R 336.113
Source: 1997 AACS.

R 336.114
Source: 1997 AACS.

R 336.115
Source: 1997 AACS.

R 336.116
Source: 1997 AACS.

PART 14. EXTENSION OF COMPLIANCE DATE PAST JANUARY 1, 1980

R 336.141
Source: 1997 AACS.

R 336.142
Source: 1997 AACS.

R 336.143
Source: 1997 AACS.

R 336.144
Source: 1997 AACS.

R 336.145
Source: 1997 AACS.

R 336.146
Source: 1997 AACS.

R 336.147
Source: 1997 AACS.

AIR QUALITY DIVISION
ANNUAL REPORTING

R 336.201
Source: 1980 AACS.

Annual Administrative Code Supplement
2012 Edition

R 336.202
Source: 1986 AACS.

R 336.203
Source: 1997 AACS.

R 336.204
Source: 1987 AACS.

R 336.205
Source: 1980 AACS.

DEPARTMENT OF ENVIROMENTAL QUALITY

AIR QUALITY DIVISION

DISBURSEMENT OF AIR POLLUTION SURVEILLANCE FEES TO LOCAL UNITS

R 336.501
Source: 1998-2000 AACS.

R 336.502
Source: 1998-2000 AACS.

R 336.503
Source: 1998-2000 AACS.

R 336.504
Source: 1998-2000 AACS.

R 336.505
Source: 1998-2000 AACS.

R 336.506
Source: 1998-2000 AACS.

R 336.507
Source: 1998-2000 AACS.

R 336.508
Source: 1998-2000 AACS.

MOTOR VEHICLE EMISSIONS INSPECTION/MAINTENANCE PROGRAM

R 336.601
Source: 1997 AACS.

R 336.602
Source: 1997 AACS.

R 336.603
Source: 1997 AACS.

AIR POLLUTION CONTROL

PART 1. GENERAL PROVISIONS

Annual Administrative Code Supplement
2012 Edition

R 336.1101

Source: 2003 AACS.

R 336.1102

Source: 2008 AACS.

R 336.1103

Source: 2008 AACS.

R 336.1104

Source: 2008 AACS.

R 336.1105

Source: 2008 AACS.

R 336.1106

Source: 2003 AACS.

R 336.1107

Source: 2002 AACS.

R 336.1108

Source: 2002 AACS.

R 336.1109

Source: 2008 AACS.

R 336.1112

Source: 2008 AACS.

R 336.1113

Source: 2008 AACS.

R 336.1114

Source: 2008 AACS.

R 336.1115

Source: 1992 AACS.

R 336.1116 Definitions; P.

Rule 116. As used in these rules:

(a) "Packaging rotogravure printing" means rotogravure printing upon a substrate that, in subsequent operations, is formed into a packaging product or label, or both.

(b) "Paint manufacturing" means the grinding or mixing of a combination of pigments, resins, and liquids to produce a surface coating as listed in standard industrial classification code 2851.

(c) "Particulate matter" means any air contaminant existing as a finely divided liquid or solid, other than uncombined water, as measured by a reference test specified in R 336.2004(5) or by an equivalent or alternative method.

(d) "Perchloroethylene dry cleaning equipment" means equipment utilized in the cleaning of fabrics for which perchloroethylene (tetrachloroethylene) is the predominant cleaning medium.

(e) "Performance test" means the taking of a source sample at a stationary source, employing department-approved methods, to determine either of the following:

(i) Compliance with the department's rules, orders, or emission limitations.

(ii) Compliance with the conditions of a permit to install or permit to operate.

(f) "Permit to install" means a permit issued by the department authorizing the construction, installation, relocation, or alteration of any process, fuel-burning, refuse-burning, or control equipment in accordance with approved plans and specifications.

(g) "Permit to operate" means a permit issued by the department authorizing the use of any process, fuel-burning, refuse-burning, or control equipment for the period indicated after it has been demonstrated that it can be operated in compliance

Annual Administrative Code Supplement
2012 Edition

with these rules. The requirement to obtain a permit to operate was removed from these rules effective July 26, 1995. Permits to operate issued before that date remain in effect and legally enforceable unless they are voided pursuant to R 336.1201(6).

(h) "Person" means any of the following:

(i) An individual person.

(ii) Trustee.

(iii) Court-appointed representative.

(iv) Syndicate.

(v) Association.

(vi) Partnership.

(vii) Firm.

(viii) Club.

(ix) Company.

(x) Corporation.

(xi) Business trust.

(xii) Institution.

(xiii) Agency.

(xiv) Government corporation.

(xv) Municipal corporation.

(xvi) City.

(xvii) County.

(xviii) Municipality.

(xix) District.

(xx) Other political subdivision, department, bureau, agency, or instrumentality of federal, state, or local government.

(xxi) Other entity recognized by law as the subject of rights and duties.

(i) "Petroleum" means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal gasification or liquefaction.

(j) "Petroleum refinery" means any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of petroleum or through redistillation, cracking, or the reforming of unfinished petroleum derivatives.

(k) "PM-10" means particulate matter that has an aerodynamic diameter less than or equal to a nominal 10 micrometers, as measured by a reference test specified in 40 C.F.R. part 51, appendix M. PM-10 emissions shall include gaseous emissions from a source or activity which condense to form particulate matter at ambient temperatures. Such condensable particulate matter shall be accounted for in applicability determinations and in establishing emissions limitations for PM-10.

(i) Title 40 C.F.R., part 51, appendix M, "Recommended Test Methods for State Implementation Plans." (2012) is adopted by reference in these rules. A copy is available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P. O. Box 30260, Lansing, MI 48909-7760, at a cost as of the time of adoption of these rules of \$61.00. A copy may be obtained from the Superintendent of Documents, government Printing Office, P. O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, at a cost as of the time of adoption of these rules of \$51.00, or on the United States government printing office internet website at <http://www.acess.gpo.gov>.

(l) "PM 2.5" means particulate matter that has an aerodynamic diameter less than or equal to a nominal 2.5 micrometers, as measured by a reference test specified in 40 C.F.R. part 51, appendix M. PM 2.5 emissions shall include gaseous emissions from a source or activity which condense to form particulate matter at ambient temperatures. Such condensable particulate matter shall be accounted for in applicability determinations and in establishing emissions limitations for PM 2.5. The provisions of 40 C.F.R., part 51, appendix M are adopted by reference in R 336.1116 (k).

(m) "Potential emissions" means those emissions expected to occur without control equipment, unless this control equipment is, aside from air pollution control requirements, vital to production of the normal product of the source or to its normal operation. Annual potential emissions shall be based on the maximum annual-rated capacity of the source, unless the source is subject to enforceable permit conditions or enforceable orders that limit the operating rate or the hours of operation, or both. Enforceable agreements or permit conditions on the type or amount of materials combusted or processed shall be used in determining the potential emission rate of a source.

(n) "Potential to emit" means the maximum capacity of a stationary source to emit an air contaminant under its physical and operational design. Any physical or operational limit on the capacity of the stationary source to emit an air contaminant, including air pollution control equipment and restrictions on the hours of operation or the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limit, or the effect it would have on emissions, is legally enforceable. Secondary emissions shall not count in determining the "potential to emit" of a stationary

Annual Administrative Code Supplement
2012 Edition

source. For hazardous air pollutants that have been listed pursuant to section 112(b) of the clean air act, quantifiable fugitive emissions shall be included in determining the potential to emit of any stationary source. For all other air contaminants, quantifiable fugitive emissions shall be included in determining the "potential to emit" of a stationary source only if the stationary source belongs to 1 of the following categories:

- (i) Coal cleaning plants that have thermal dryers.
- (ii) Kraft pulp mills.
- (iii) Portland cement plants.
- (iv) Primary zinc smelters.
- (v) Iron and steel mills.
- (vi) Primary aluminum ore reduction plants.
- (vii) Primary copper smelters.
- (viii) Municipal incinerators capable of charging more than 50 tons of refuse per day.
- (ix) Hydrofluoric, sulfuric, or nitric acid plants.
- (x) Petroleum refineries.
- (xi) Lime plants.
- (xii) Phosphate rock processing plants.
- (xiii) Coke oven batteries.
- (xiv) Sulfur recovery plants.
- (xv) Carbon black plants that have a furnace process.
- (xvi) Primary lead smelters.
- (xvii) Fuel conversion plants.
- (xviii) Sintering plants.
- (xix) Secondary metal production plants.
- (xx) Chemical process plants. The term chemical process plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in North American industrial classification system codes 325193 or 312140.
- (xxi) Fossil fuel boilers (or combination thereof) totaling more than 250,000,000 Btu per hour heat input.
- (xxii) Petroleum storage and transfer units that have a total storage capacity of more than 300,000 barrels or petroleum storage vessels that have a capacity of more than 40,000 gallons.
- (xxiii) Taconite ore processing plants.
- (xxiv) Glass-fiber processing plants.
- (xxv) Charcoal production plants.
- (xxvi) Fossil fuel-fired steam electric plants of more than 250,000,000 Btu per hour heat input.
- (xxvii) Asphalt concrete plants.
- (xxviii) Secondary lead smelters and refineries.
- (xxix) Sewage treatment plants.
- (xxx) Phosphate fertilizer plants.
- (xxxi) Ferroalloy production plants.
- (xxxii) Grain elevators.
- (xxxiii) Stationary gas turbines.
- (xxxiv) Stationary sources that are subject to the federal national emission standards for hazardous air pollutants for the following materials:
 - (A) Asbestos.
 - (B) Beryllium.
 - (C) Mercury.
 - (D) Vinyl chloride.
- (o) "PPM" means parts per million, by volume.
- (p) "Printed interior panel" means a panel which has its grain or natural surface obscured by fillers and basecoats and upon which a simulated grain or decorative pattern is printed.
- (q) "Process" means an action, operation, or a series of actions or operations at a source that emits or has the potential to emit an air contaminant. Examples of a "process" include any of the following:
 - (i) A physical change of a material.
 - (ii) A chemical change of a material.
 - (iii) The combustion of fuel, refuse, or waste material.
 - (iv) The storage of a material.
 - (v) The handling of a material.

Annual Administrative Code Supplement
2012 Edition

- (r) "Process equipment" means all equipment, devices, and auxiliary components, including air pollution control equipment, stacks, and other emission points, used in a process.
- (s) "Process unit turnaround" means the scheduled shutdown of a refinery process unit for the purpose of inspection or maintenance of the unit.
- (t) "Production equipment exhaust system" means a device for collecting and removing, from the immediate area, fugitive air contaminants from any process equipment.
- (u) "Psia" means pounds per square inch absolute.
- (v) "Publication rotogravure printing" means rotogravure printing upon a substrate that is subsequently formed into any of the following:
- (i) Book.
 - (ii) Magazine.
 - (iii) Catalogue.
 - (iv) Brochure.
 - (v) Directory.
 - (vi) Newspaper.
 - (vii) Supplement.
 - (viii) Other type of printed material.
- (w) "Pushing operation," with respect to coke ovens, means the movement of the coke from a coke oven into the coke-receiving car.
- (x) "Pushside," with respect to a coke oven, means that side of the coke oven that is adjacent to the pushing machine.
- History: 1980 AACS; 1981 AACS; 1985 AACS; 1989 AACS; 1990 AACS; 1993 AACS; 1995 AACS; 1996 AACS; 2003 AACS; 2012 MR 22, Eff. Nov. 30, 2012.

R 336.1118

Source: 2003 AACS.

R 336.1119 Definitions; S.

Rule 119. As used in these rules:

- (a) "Schedule of compliance" means, for purposes of R 336.1201 to R 336.1218, all of the following:
- (i) For a source not in compliance with all applicable requirements at the time of issuance of a renewable operating permit, a schedule of remedial measures, including an enforceable sequence of actions or operations that specifies milestones, leading to compliance with an applicable requirement, and a schedule for submission of certified progress reports, at least every 6 months. The schedule shall resemble, and be at least as stringent as, a schedule contained in a judicial consent decree or administrative order to which the source is subject. A schedule shall be supplemental to, and shall not sanction noncompliance with, the applicable requirement on which it is based.
 - (ii) For a source in compliance with all applicable requirements at the time of issuance of a renewable operating permit, a statement that the source will continue to comply with the requirements.
 - (iii) With respect to any applicable requirement that has a future effective compliance date that is after the date of issuance and before the date of expiration of the renewable operating permit, the schedule of compliance shall contain a statement that the source will meet the requirement on a timely basis, unless the underlying applicable requirement requires a more detailed schedule.
- (b) "Secondary emissions" means emissions which occur as a result of the construction or operation of a stationary source, but which do not come from the stationary source itself. Secondary emissions include only emissions that are specific, well-defined, quantifiable, and impact the same general area as the stationary source which causes the secondary emissions. Secondary emissions also include emissions from any off-site support facility which would not otherwise be constructed or increase its emissions except as a result of the construction or operation of the stationary source. Examples of secondary emissions include the following:
- (i) Emissions from ships or trains coming to or going from a stationary source.
 - (ii) Emissions from any off-site support facility that would not otherwise be constructed or increase its emissions except as a result of the construction or operation of the stationary source.
- (c) "Secondary risk screening level" means the concentration of a possible, probable, or known human carcinogen in ambient air which has been calculated, for regulatory purposes, according to the risk assessment procedures in R 336.1229(1), to produce an estimated upper-bound lifetime cancer risk of 1 in 100,000.
- (d) "Shutdown" means the cessation of operation of a source for any purpose.
- (e) "Significant" means a rate of emissions for the following air contaminants which would equal or exceed any of the following:

Annual Administrative Code Supplement
2012 Edition

- (i) Carbon monoxide - 100 tons per year.
- (ii) Nitrogen oxides - 40 tons per year.
- (iii) Sulfur dioxide - 40 tons per year.
- (iv) Particulate matter - 25 tons per year.
- (v) PM-10 - 15 tons per year.
- (vi) PM 2.5 - 10 tons per year.
- (vii) Volatile organic compounds - 40 tons per year.
- (viii) Lead - 0.6 tons per year.
- (f) "Smoke" means small gas and airborne particles consisting essentially of carbonaceous material in sufficient numbers to be observable.
- (g) "Sour condensate" means a condensate that emits sour gas at atmospheric pressure.
- (h) "Sour crude" means a crude oil that emits sour gas at atmospheric pressure.
- (i) "Sour gas" means any gas containing more than 1 grain of hydrogen sulfide or more than 10 grains of total sulfur per 100 standard cubic feet.
- (j) "Source sample" means any raw material, fuel, product, by-product, waste material, exhaust gas, air contaminant, flora, soil, or other such material existing as a gas, liquid, or solid, which is captured, retained, or collected from a stationary source.
- (k) "Specific plate collection area" means the ratio of the total collection area to the total gas volume flow rate in square feet per 1,000 actual cubic feet per minute.
- (l) "Stack" or "chimney" means a flue, conduit, or duct arranged to conduct a gas stream to the outer air.
- (m) "Standard conditions" means a gas temperature of 70 degrees Fahrenheit and a gas pressure of 29.92 inches of mercury absolute.
- (n) "Standpipe assembly," with respect to coke ovens, means the riser, standpipe lid, and the gooseneck.
- (o) "Standpipe assembly emission point," with respect to a coke oven battery equipped with a single collector main or a double collector main, means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, and the second flexible connection wherever located, or another agreed upon connection that is located between the collector main and the gooseneck. With respect to a battery equipped with a charging main and a gas-offtake main in tandem, "standpipe assembly emission point" means the upper flange, the lower flange, the top lid, the bottom lid, the upper sand seal, the middle sand seal, and the lower base sand seal. With respect to a battery equipped with a jumper pipe ministandpipe, "standpipe assembly emission point" means the flexible connection between the battery top and the base of the riser, the seating surface of the standpipe lid, the flexible connection between the collector main and the gooseneck, the ministandpipe lid, and the flexible connection between the battery top and the jumper pipe ministandpipe.
- (p) "Start-up" means the setting in operation of a process or process equipment for any purpose.
- (q) "State-only enforceable" means that the limitation or condition is derived solely from the act and the air pollution control rules and is not federally enforceable. State-only enforceable requirements include R 336.1224, R 336.1225, R 336.1901, any permit requirement established solely pursuant to R 366.1201(1)(b), or any other regulation that is enforceable solely under the act and is not federally enforceable.
- (r) "Stationary source" means all buildings, structures, facilities, or installations which emit or have the potential to emit 1 or more air contaminants, which are located at 1 or more contiguous or adjacent properties, which are under the control of the same person, and which have the same 2-digit major group code associated with their primary activity. In addition, a stationary source includes any other buildings, structures, facilities, or installations which emit or have the potential to emit 1 or more air contaminants, which are located at 1 or more contiguous or adjacent properties, which are under the control of the same person, and which have a different 2-digit major group code, but which support the primary activity. Buildings, structures, facilities, or installations, are considered to support the primary activity if 50% or more of their output is dedicated to the primary activity. Major group codes and primary activities are described in the standard industrial classification manual, 1987. Notwithstanding the provisions of this subdivision, research and development activities, as described in R 336.1118, may be treated as a separate stationary source, unless the research and development activities support the primary activity of the stationary source.
- (s) "Stationary vessel" means any tank, reservoir, or container used for the storage of any volatile organic compound which is not used to transport such volatile organic compound and in which no manufacturing process or part thereof takes place.
- (t) "Stencil coat" means a coating that is applied over a stencil to a plastic part at a thickness of 1 mil or less of coating solids. Stencil coats are most frequently letters, numbers, or decorative designs.
- (u) "Styrene devolatilizer unit" means equipment performing the function of separating unreacted styrene monomer and other volatile components from polystyrene in a vacuum devolatilizer.
- (v) "Styrene recovery unit" means equipment performing the function of separating styrene monomer from other less volatile components of the styrene devolatilizer unit's output. The separated styrene monomer may be reused as raw material

Annual Administrative Code Supplement
2012 Edition

in the manufacturing of polystyrene resin.

(w) "Submerged fill pipe" means any fill pipe that has its discharge opening entirely submerged when the liquid level is 6 inches above the bottom of the vessel or, when applied to a vessel that is loaded from the side, means either of the following:

(i) Any fill pipe that has its discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the vessel.

(ii) Any fill pipe that has its discharge opening entirely submerged when the liquid level is twice the diameter of the fill pipe above the bottom of the vessel, but in no case shall the top of such submerged fill pipe be more than 36 inches above the bottom of the vessel.

(x) "Sufficient evidence," a term of art, means either of the following:

(i) In human epidemiological studies, that the data indicate that there is a causal relationship between the agent and human cancer.

(ii) In animal studies, the data suggest that there is an increased incidence of malignant tumors or combined malignant and benign tumors in any of the following:

(A) Multiple species or strains.

(B) Multiple experiments.

(C) To an unusual degree in a single experiment with regard to high incidence, unusual site or type of tumor, or early age at onset.

(y) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge, but does not include facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds.

(z) "Surface coating" means any paint, lacquer, varnish, ink, adhesive, or other coating material applied on a surface.

(aa) "Sweet condensate" means any condensate that is not a sour condensate.

(bb) "Sweet crude" means any crude oil that is not a sour crude.

(cc) "Sweetening facility" means a facility or process that removes hydrogen sulfide or sulfur-containing compounds, or both, from a sour gas, sour crude oil, or sour condensate stream and converts it to sweet gas, sweet crude, or sweet condensate. The term "sweetening facility" does not include a facility or process that operates in an enclosed system and does not emit hydrogen sulfide to the outer air.

(dd) "Sweet gas" means any gas that is not a sour gas.

(ee) "Synthetic organic chemical and polymer manufacturing plant" means a stationary source where the production, as intermediates or final products, of 1 or more of the following chemicals takes place:

(i) Methyl tert-butyl ether.

(ii) Polyethylene.

(iii) Polypropylene.

(iv) Polystyrene.

(v) Synthetic organic chemicals listed in section 489 of 40 C.F.R. part 60, subpart VV, entitled "Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry," which is adopted by reference in R 336.1628(1).

(ff) "Synthetic organic chemical and polymer manufacturing process unit" means all process equipment assembled to manufacture, as intermediates or final products, 1 or more of the chemicals listed in the definition of synthetic organic chemical and polymer manufacturing plant. A synthetic organic chemical and polymer manufacturing process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

History: 1980 AACS; 1981 AACS; 1985 AACS; 1989 AACS; 1990 AACS; 1992 AACS; 1993 AACS; 1995 AACS; 1996 AACS; 2003 AACS; 2012 MR 22, Eff. Nov. 30, 2012.

R 336.1120

Source: 2002 AACS.

R 336.1121

Source: 1989 AACS.

R 336.1122 Definitions; V.

Rule 122. As used in these rules:

(a) "Vacuum-metalizing coatings" means topcoats and basecoats that are used in the vacuum-metalizing process.

(b) "Vacuum-producing system" means any device that creates a pressure below atmospheric, such as a pump or steam ejector with condenser, including hot wells and accumulators.

(c) "Vapor collection system," as it pertains to R 336.1627, means all piping, seals, hoses, connections, pressure-vacuum

Annual Administrative Code Supplement
2012 Edition

vents, and any other equipment between and including the delivery vessel and a stationary vessel, vapor processing unit, or vapor holder.

(d) "Very large precipitator" means an electrostatic precipitator that has a specific plate collection area of 600 square feet or more per 1,000 actual cubic feet per minute gas flow.

(e) "Visible emission" means any emissions that are visually detectable without the aid of instruments.

(f) "Volatile organic compound" means any compound of carbon or mixture of compounds of carbon that participates in photochemical reactions, excluding the following materials, all of which have been determined by the United States environmental protection agency to have negligible photochemical reactivity:

(i) Carbon monoxide.

(ii) Carbon dioxide.

(iii) Carbonic acid.

(iv) Metallic carbides or carbonates.

(v) Boron carbide.

(vi) Silicon carbide.

(vii) Ammonium carbonate.

(viii) Ammonium bicarbonate.

(ix) Methane.

(x) Ethane.

(xi) The methyl chloroform portion of commercial grades of methyl chloroform, if all of the following provisions are complied with:

(A) The commercial grade of methyl chloroform is used only in a surface coating or coating line that is subject to the requirements of part 6 or 7 of these rules.

(B) The commercial grade of methyl chloroform contains no stabilizers other than those listed in table 11.

(C) Compliance with the applicable limits specified in part 6 or 7 of these rules is otherwise not technically or economically reasonable.

(D) All measures to reduce the levels of all organic solvents, including the commercial grade of methyl chloroform, from the surface coating or coating line to the lowest reasonable level will be implemented.

(E) The emissions of the commercial grade of methyl chloroform do not result in a maximum ambient air concentration exceeding any of the allowable ambient air concentrations listed in table 11.

(F) The use of the commercial grade of methyl chloroform is specifically identified and allowed by a permit to install, permit to operate, or order of the department.

(G) Table 11 reads as follows:

TABLE 11

Commercial Grade of Methyl Chloroform -- Allowable Ambient Air Concentrations

Compound	Ppm ¹	Time ²
Methyl chloroform	3.5	1 hour
Tertiary butyl alcohol ³	1.0	1 hour
Secondary butyl alcohol ³	1.0	1 hour
Methylal ³	10.0	1 hour
1,2-butylene oxide ³	0.028 and 0.00041	1 hour annual

1. Parts per million, by volume

2. Averaging time period

3. This compound is a stabilizer

(xii) The methyl chloroform portion of commercial grades of methyl chloroform that contain any other stabilizer not listed in table 11 of this rule, if all of the following provisions are complied with:

(A) The commercial grade of methyl chloroform is used only in a surface coating or coating line that is subject to the requirements of part 6 or 7 of these rules.

Annual Administrative Code Supplement
2012 Edition

(B) Compliance with the applicable limits specified in part 6 or 7 of these rules is otherwise not technically or economically reasonable.

(C) All measures to reduce the levels of all organic solvents, including the commercial grade of methyl chloroform, from the surface coating or coating line to the lowest reasonable level will be implemented.

(D) The emissions of any compound in the commercial grade of methyl chloroform that is listed in table 11 of this rule do not result in a maximum ambient air concentration exceeding any of the allowable ambient air concentrations listed in table 11.

(E) The emission of all compounds in the commercial grade of methyl chloroform that are not listed in table 11 is demonstrated to comply with R 336.1901.

(F) The use of the commercial grade of methyl chloroform is specifically identified and allowed by a permit to install, permit to operate, or order of the department.

(xiii) Acetone.

(xiv) Cyclic, branched, or linear completely methylated siloxanes.

(xv) Parachlorobenzotrifluoride.

(xvi) Perchloroethylene.

(xvii) Trichlorofluoromethane (CFC-11).

(xviii) Dichlorodifluoromethane (CFC-12).

(xix) 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113).

(xx) 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114).

(xxi) Chloropentafluoroethane (CFC-115).

(xxii) 1,1-dichloro 1-fluoroethane (HCFC-141b).

(xxiii) 1-chloro 1,1-difluoroethane (HCFC-142b).

(xxiv) Chlorodifluoromethane (HCFC-22).

(xxv) 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123).

(xxvi) 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124).

(xxvii) Trifluoromethane (HFC-23).

(xxviii) Pentafluoroethane (HFC-125).

(xxix) 1,1,2,2-tetrafluoroethane (HFC-134).

(xxx) 1,1,1,2-tetrafluoroethane (HFC-134a).

(xxxi) 1,1,1-trifluoroethane (HFC-143a).

(xxxii) 1,1-difluoroethane (HFC-152a).

(xxxiii) 3,3-dichloro-1, 1,1,2,2-pentafluoropropane (HCFC-225ca).

(xxxiv) 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb).

(xxxv) 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee).

(xxxvi) Difluoromethane (HFC-32).

(xxxvii) Ethyl fluoride (HFC-161).

(xxxviii) 1,1,1,3,3,3-hexafluoropropane (HFC-236fa).

(xxxix) 1,1,2,2,3-pentafluoropropane (HFC-245ca).

(xl) 1,1,2,3,3- pentafluoropropane (HFC-245ea).

(xli) 1,1,1,2,3- pentafluoropropane (HFC-245eb).

(xlii) 1,1,1,3,3- pentafluoropropane (HFC-245fa).

(xlili) 1,1,1,2,3,3-hexafluoropropane (HFC-236ea).

(xliv) 1,1,1,3,3-pentafluorobutane (HFC365mfc).

(xlv) Chlorofluoromethane (HCFC-31).

(xlvi) 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a).

(xlvii) 1-chlor-1-fluoroethane (HCFC-151a).

(xlviii) 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C₄F₉OCH₃ or HFE-7100).

(xlix) 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane.

(l) 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C₄F₉OC₂H₅ or HFE-7200).

(li) 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane.

(lii) Methyl acetate.

(liii) Perfluorocarbon compounds that fall into the following classes:

(A) Cyclic, branched, or linear, completely fluorinated alkanes.

(B) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations.

(C) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations.

(D) Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

Annual Administrative Code Supplement
2012 Edition

(liv) Methylene chloride.

(lv) 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane (n-C₃F₇OCH₃, HFE-7000).

(lvi) 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE-7500).

(lvii) 1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea)

(lviii) Methyl formate (HCOOCH₃).

(lix) T-butyl acetate is not a volatile organic compound for purposes of volatile organic compound emissions limitations or volatile organic compound content requirements but is a volatile organic compound for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements, which apply to volatile organic compounds and shall be uniquely identified in emission reports.

(lx) 1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane (HFE-7300)

(lxi) Dimethyl carbonate

(lxii) Propylene carbonate

(lxiii) 2,3,3,3-tetrafluoropropene (HFO-1234yf)

(lxiv) Trans-1,3,3,3-tetrafluoropropene (HFO-1234ze)

The methods described in R 336.2004 and R 336.2040 shall be used for measuring volatile organic compounds for purposes of determining compliance with emission limits. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-photochemical reactive compounds may be excluded as volatile organic compounds if the amount of such compounds is accurately quantified and such exclusion is approved by the department.

History: 1980 AACS; 1985 AACS; 1988 AACS; 1989 AACS; 1993 AACS; 1997 AACS; 2003 AACS; 2008 AACS; 2012 MR 22, Eff. Nov. 30, 2012.

R 336.1123

Source: 1995 AACS.

R 336.1127

Source: 1980 AACS.

R 336.1128

Source: 1980 AACS.

PART 2. AIR USE APPROVAL

R 336.1201

Source: 2008 AACS.

R 336.1201a

Source: 2003 AACS.

R 336.1202

Source: 2008 AACS.

R 336.1203

Source: 2003 AACS.

R 336.1204

Source: 2003 AACS.

R 336.1205

Source: 2008 AACS.

R 336.1206

Source: 2003 AACS.

R 336.1207

Source: 2008 AACS.

R 336.1208

Source: 1997 AACS.

R 336.1208a Limiting potential to emit by registration.

Rule 208a. (1) A major source may limit potential to emit through a registration process if actual emission threshold levels established in this rule are not exceeded. The actual emissions shall be maintained below the threshold levels during every consecutive 12-month period, beginning with the 12-month period immediately preceding the stationary source's registration pursuant to this rule. The stationary source shall maintain actual emissions less than or equal to all of the following emission threshold levels:

(a) Consistent with the criteria in R 336.1211(1)(a)(i) as follows:

(i) Five tons for each consecutive 12-month period of any hazardous air pollutant that has been listed pursuant to section 112(b) of the clean air act.

(ii) Twelve and one-half tons for each consecutive 12-month period of any combination of hazardous air pollutants that have been listed pursuant to section 112(b) of the clean air act.

(iii) Fifty percent of a lesser quantity as the administrator of the United States environmental protection agency may establish by rule for any hazardous air pollutant listed pursuant to section 112(b) of the clean air act. The department shall maintain, and make available upon request, a list of the hazardous air pollutants for which a lesser quantity criteria has been established.

(b) Consistent with the criteria in R 336.1211(1)(a)(ii), 50 tons for each consecutive 12-month period of each of the following:

(i) Lead.

(ii) Sulfur dioxide.

(iii) Nitrogen oxides.

(iv) Carbon monoxide.

(v) PM-10.

(vi) PM 2.5.

(vii) Ozone.

(viii) Volatile organic compounds.

(ix) An air contaminant regulated pursuant to section 111 of title I of the clean air act.

(x) Class I and class II substances pursuant to title VI of the clean air act.

(2) The owner or operator shall certify that the emission threshold levels listed in subrule (1) of this rule are accepted as legally enforceable limits, that the stationary source was operated in compliance with the limits for the previous 12-month period and will continue to be operated in compliance during each rolling 12-month period in the future, and that the recordkeeping and reporting requirements specified in subrules (5) and (6) of this rule are being met and will continue to be met. The owner or operator of a stationary source may take into account the operation of air pollution control equipment on the potential to emit of the stationary source if the equipment is registered pursuant to this subrule. By registering under this rule, the owner or operator accepts as a legally enforceable requirement that the control equipment shall be maintained and operated in a manner consistent with good air pollution control practices for minimizing emissions in accordance with R 336.1910 and in compliance with any malfunction abatement plan required under R 336.1911. Acceptance of the legally enforceable limits restricts the stationary source's potential to emit to the levels specified in the registration and supersedes any greater emission limits specified in permit terms and conditions. However, acceptance of the legally enforceable limits does not supersede or affect any other requirements of rules, regulations, permit terms and conditions, or any requirements to obtain a permit to install pursuant to R 336.1201.

(3) The owner or operator shall notify the department of the owner's or operator's acceptance of the provisions of this rule as legally enforceable requirements by submitting a registration form required by the department. Within 30 days of receipt, the department shall notify the owner or operator of the stationary source that the department has received a complete registration form. The owner or operator of a stationary source shall be subject to enforcement action if the department later determines that the stationary source did not meet the criteria for limiting its potential to emit pursuant to this rule at the time the registration was submitted. The information specified in all of the following provisions shall be included in a complete registration form for initial certification:

(a) A description of the process or process equipment, including any control equipment pertaining to the process or process equipment and a list of all associated permits issued by the department or Wayne county.

(b) Documentation sufficient to demonstrate that the emissions from the stationary source are in compliance with the criteria in subrule (1) of this rule.

(c) A statement signed by the person owning or operating the process or process equipment certifying to all of the following:

(i) That, based on information and belief formed after reasonable inquiry, the information on the registration form is true,

Annual Administrative Code Supplement
2012 Edition

accurate, and complete.

(ii) That all threshold levels specified in subrule (1) of this rule were met during the preceding 12-month period and will continue to be complied with as legally enforceable conditions for the stationary source and that the recordkeeping and reporting requirements of subrules (5) and (6) of this rule are being met and will continue to be met.

(iii) That, during the preceding 12-month period, the air pollution control equipment was maintained and operated in a manner consistent with good air pollution control practice for minimizing emissions as specified in subrule (2) of this rule and shall continue to be maintained and operated in a manner consistent with good air pollution control practices for minimizing emissions as specified in subrule (2) of this rule.

(4) The certification shall be renewed annually by submittal of a registration form in conjunction with the annual report of emissions required under R 336.202. The registration form shall include a statement certifying compliance during each of the 12-month rolling average periods that ended during that calendar year.

(5) Both of the following recordkeeping requirements shall be met:

(a) The owner or operator of the stationary source shall maintain sufficient records to demonstrate that, after considering the effectiveness of registered control equipment, the actual emissions for the entire stationary source are maintained below each emission threshold level. The records shall include, at a minimum, all of the following:

(i) Information on the process and process equipment, including all of the following information:

(A) The equipment type.

(B) A description.

(C) The make and model.

(D) The maximum design process rate or throughput.

(E) The control device type and a description, if any.

(ii) A monthly log of operating hours, each raw material used and its amount, and each product produced and its production rate.

(iii) Purchase orders, invoices, and other documents to support information in the monthly log.

(iv) Calculations of the actual emission levels on a monthly basis for each pollutant or group of pollutants specified in subrule (1) of this rule. The calculations shall include any processes and emissions at the stationary source that must be included in determining the stationary source's potential to emit pursuant to R 336.1116(m). In the absence of valid continuous emission monitoring data or source test data, actual emissions shall be calculated using methods acceptable to the department, including methods specified in part 10 of these rules.

(b) The records shall be kept on file for the most recent 5-year period and shall be readily available to the department upon request.

(6) Both of the following reporting requirements shall be met:

(a) The owner or operator of the stationary source shall report the actual annual emissions for the 12-month period that is the calendar year, pursuant to R 336.202.

Any emissions data that cannot be provided through the annual report on emissions pursuant to R 336.202 shall be kept on file and shall be readily available to the department upon request.

(b) The owner or operator of the stationary source shall, within 30 days of a written request by the department, provide any additional records necessary to demonstrate that the emissions from the stationary source are not more than the applicable quantities set forth in subrule (1) of this rule. The department shall use the records and the data associated with actual emissions that are provided through the annual report on emissions required pursuant to R 336.202 to evaluate the compliance of the stationary source with the emission threshold limitations established in subrule (1) of this rule.

(7) Failure to comply with any provisions of this rule is a violation of this rule. The registration does not serve as a legally enforceable restriction on potential to emit if a violation of this rule occurs.

(8) A stationary source that has registered pursuant to this rule becomes subject to applicable renewable operating permit requirements for a major source pursuant to R 336.1210 if both of the following conditions are met:

(a) The actual emissions from the stationary source exceed the emission thresholds listed in subrule (1) of this rule that are accepted as emission limitations pursuant to subrule (2) of this rule.

(b) The potential to emit of the stationary source exceeds 100% of a major source emission threshold, pursuant to R 336.1211(1).

(9) Within 30 days of exceeding any emission threshold accepted as a limitation pursuant to subrule (2) of this rule, the person owning or operating the stationary source shall notify the department that he or she will take 1 of the following actions:

(a) Submit an application for a renewable operating permit pursuant to R 336.1210.

(b) Submit an application for a permit to install to otherwise obtain legally enforceable permit limits pursuant to R 336.1201.

(c) Demonstrate to the satisfaction of the department that the potential to emit of the stationary source does not exceed any

Annual Administrative Code Supplement
2012 Edition

major source emission threshold specified in R 336.1211(1)(a).

(10) A complete renewable operating permit application shall be received by the department or the permit action to otherwise obtain legally enforceable limits shall be completed within 12 months of the date of exceedance. However, the stationary source may be immediately subject to applicable federal requirements, including a standard promulgated under section 112 of the clean air act.

(11) Nothing in this rule shall prevent any stationary source that has had a renewable operating permit from qualifying to comply with this rule in the future instead of maintaining a renewable operating permit.

(12) Except for being a major source as defined in R 336.1211(1)(a), this rule shall not relieve any stationary source from the requirement of obtaining a renewable operating permit pursuant to R 336.1210. Additional reasons that a stationary source may be required to obtain a renewable operating permit include being defined as an "affected source" pursuant to R 336.1211(1)(b) or being defined as a "solid waste incineration unit" pursuant to R 336.1211(1)(c).

(13) The department shall maintain, and make available to the public upon request, a list of stationary sources registered pursuant to this rule.

History: 1996 AACs; 2012 MR 10, Eff. June 1, 2012.

R 336.1209

Source: 1995 AACs.

R 336.1210 Renewable operating permits.

Rule 210. (1) A person shall not operate any emission units located at a stationary source required to obtain a renewable operating permit under R 336.1211, except in compliance with all applicable terms and conditions of a renewable operating permit, unless a timely and administratively complete application for a renewable operating permit has been received by the department in accordance with the following provisions of this rule. The ability to operate the emission units at a stationary source while a timely and administratively complete application is being reviewed and acted upon by the department shall be referred to as the "application shield." The application shield provided by this subrule shall not apply if an application submittal is not timely under the applicable provision of subrules (4) to (9) of this rule or administratively complete under subrule (2) of this rule or an additional information submittal is not timely or complete under subrule (3) of this rule. The loss of the application shield after the applicable time specified in this rule for a person to have filed a timely and administratively complete application for a renewable operating permit is grounds for enforcement action under the act. Any enforcement action pursuant to loss of the application shield shall consider the time period between the applicable deadline and when a person actually submits the required administratively complete application or additional information.

(2) An application submittal, including an application submittal for renewal or modification of a renewable operating permit, shall be considered an administratively complete application if it contains reasonable responses to all requests for information in the permit application form required by the department and a certification by a responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the application are true, accurate, and complete. The application form required by the department shall be consistent with the requirements of section 5507 of the act, except as provided for general renewable operating permits under R 336.1218. The application form shall also require a certification of compliance with all applicable requirements, a statement of methods used for determining compliance, including a description of monitoring, recordkeeping and reporting requirements, and test methods, and a statement indicating the stationary source's compliance status with any applicable enhanced monitoring and compliance certification requirements of the clean air act.

(3) All of the following provisions apply to the administrative completeness of an application for a renewable operating permit:

(a) On and after November 1, 1995, the department shall notify the person who submitted the application for a renewable operating permit and the responsible official, in writing, regarding the administrative completeness of the application submittal. If the application submittal is considered not to be an administratively complete application by the department, then the notification shall specify the deficiency and all supplemental materials required for an administratively complete application. A person's response to a notification by the department of the incompleteness of an application shall include all of the supplemental materials requested by the department in the notification and a certification by the responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the response are true, accurate, and complete. All of the following provisions apply to department notification:

(i) If the department fails to notify a person that an application submittal, including the submittal of any supplemental materials requested by the department under this subdivision, is not administratively complete by the following deadlines, then the submittal shall be considered an administratively complete application as of the date the department received the submittal or the supplemental materials, whichever is later:

(A) By January 5, 1996, or within 60 days of the date the department receives the submittal, whichever is later, if the

Annual Administrative Code Supplement
2012 Edition

submittal is received on the paper forms specified by the department.

(B) By November 15, 1995, or within 15 days of the date the department receives the submittal, whichever is later, if the submittal is received in an electronic format specified by the department.

(ii) If a person submits all of the supplemental materials identified in a notification from the department under this subrule, then the application shall be considered administratively complete.

(iii) Except as provided in paragraph (i) of this subdivision, the date the department receives all information required for an administratively complete application, including all supplemental materials requested by the department under this subdivision, shall be the date of receipt of the administratively complete application.

(b) Any person who fails to submit any relevant facts or who has submitted incorrect information in an application for a renewable operating permit, including an application for renewal or modification of a renewable operating permit, shall, upon becoming aware of the failure or incorrect submittal, promptly submit all supplementary facts or corrected information. Each submittal of any relevant facts or corrected information shall include a certification by a responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the submittal are true, accurate, and complete.

(c) A person shall promptly provide any additional information necessary for an administratively complete application for any applicable requirements to which the stationary source becomes subject after the date that the person submitted the administratively complete application, but before release of a draft renewable operating permit for public participation under R 336.1214(3). For administratively complete applications submitted under subrule (4)(e) or (f) of this rule, the information required by this subrule may be maintained by the person and submitted to the department in accordance with the following schedule, unless the department specifically requests that information by an earlier date under subrule (3) of this rule:

(i) By January 1, 1998, for all applications for a renewable operating permit required to be submitted under subrule (4)(e) of this rule and for all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date from October 16, 1996, to December 15, 1996.

(ii) By January 1, 1999, for all applications for a renewable operating permit required to be submitted under subrule (4)(f) of this rule and for all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date from December 16, 1996, to February 28, 1997.

Each submittal of any additional information shall include a certification by the responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the submittal are true, accurate, and complete.

(3) After an application for a renewable operating permit has been determined by the department to be administratively complete, the department may require additional information, including information that was not requested on the application form. For the purpose of this subrule, additional information means information necessary to evaluate or take final action on the application, information needed to determine the applicability of any lawful requirement, information needed to enforce any lawful requirement, information needed to address any applicable requirements to which the stationary source becomes subject after the date that the person submitted the administratively complete application, but before release of a draft renewable operating permit for public participation under R 336.1214(3), or information needed to evaluate the amount of the annual air quality fee for the stationary source. A person's response to a request for additional information by the department shall include all of the information requested by the department in the request and a certification by a responsible official which states that, based on information and belief formed after reasonable inquiry, the statements and information in the response are true, accurate, and complete. The person who submitted the application for a renewable operating permit for a stationary source shall furnish, within 30 days of the date of the request, any additional information requested, in writing, by the department, except as follows:

(a) A 30-day extension for a response shall be granted if the person requests that extension, in writing, during the initial 30-day time period.

(b) The person may request a longer period of time, in writing, specifying the reasons why 60 days was not reasonable for submitting the requested information.

(c) The department shall provide written notice to the person of the date of expiration of any time period for submittal of all requested additional information as a part of any request for additional information or upon granting a request for an extension.

Failure to submit additional information that has been requested in writing by the department by the expiration of the time period specified for response results in the loss of the application shield specified in subrule (1) of this rule.

(4) For a stationary source that is defined as a major source under R 336.1211(1)(a)(i) to (iii) on or before July 26, 1995, an administratively complete application for a renewable operating permit shall be considered timely if it is received by the department on or before the following deadlines:

(a) By February 29, 1996, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 0600-0999 (agricultural services), 1500-1799 (construction), 1800-1999, 2000-2039 (food), 2100-

Annual Administrative Code Supplement
2012 Edition

2399 (tobacco and textiles), 2400-2499 (lumber and wood), 2950-2999 (asphalt), 3270-3289 (concrete, lime and gypsum products), 5000-5499 (services), or 5600-7499 (services). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(b) By May 15, 1996, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 3000-3099 (rubber and miscellaneous plastic), 5500-5599 (auto dealers and gas service), or 7500-7599 (auto repair). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(c) By July 30, 1996, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 3400-3599 (fabricated metal). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(d) By October 15, 1996, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 1300-1399 (oil and gas), 2051-2099 (bakeries and food), 2500-2599 (furniture), 2650-2699 (paper products), 3600-3699 (electronic), 4000-4899 (transportation), 7600-7999 (services), 8100-9999 (services). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(e) By December 15, 1996, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 1000-1299 (mining), 1400-1499 (nonmetallic mineral mining), 2040-2050 (grain mills and cereal), 2700-2799 (printing), 3100-3199 (leather), 3200-3269 (stone, clay, and glass), 3290-3299 (nonmetallic mineral products), 3700-3710 (transportation equipment), 3714-3799 (transportation equipment), 3800-3999 (miscellaneous manufacturing), 4900-4999 (gas, electric and sanitary services), 8000-8099 (medical). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(f) By February 28, 1997, for a major source, as defined by R 336.1211(1)(a)(i) to (iii), with a standard industrial classification (sic) code of 2600-2649 (paper mills), 2800-2899 (chemicals), 2900-2949 (petroleum refining), 3300-3399 (primary metal), 3711-3713 (automobile and truck assembly). For a major source that operates under multiple sic codes, the sic code that resulted in the most actual emissions of air contaminants from the major source during calendar year 1994 shall be the sic code used for the purposes of this subrule.

(g) Notwithstanding the deadlines specified in subdivisions (a) to (f) of this subrule, a person who owns or operates 2 or more stationary sources that are subject to the provisions of this rule may request, in writing, an alternate schedule for submittal of timely and administratively complete applications for renewable operating permits for those stationary sources. The proposed schedule shall provide that administratively complete applications for the stationary sources shall be submitted between the dates specified in subdivisions (a) to (f) of this subrule. If agreed to in writing by the department, the alternate schedule shall be the basis for determining whether an administratively complete application is timely pursuant to this rule.

(5) For a stationary source that is defined on July 1, 2011 as a major source solely due to greenhouse gas emissions under R 336.1211(1)(a)(iv), an administratively complete application for a renewable operating permit shall be considered timely if it is received by the department on or before July 1, 2012.

(6) For a stationary source that becomes a major source, as defined by R 336.1211(1)(a)(i) to (iii), after July 26, 1995, an administratively complete application shall be considered timely if it is received by the department not more than 12 months after the stationary source commences operation as a major source. For a stationary source that becomes a major source, as defined by R 336.1211(1)(a)(iv) for greenhouse gas emissions, after July 1, 2011, an administratively complete application shall be considered timely if it is received by the department not more than 12 months after the stationary source commences operation as a major source. For the purposes of this subrule, commencing operation as a major source occurs upon commencement of trial operation of the new or modified emission unit that increased the potential to emit of the stationary source to more than or equal to the applicable major source definition specified in R 336.1211(1)(a).

(7) For a stationary source that is an affected source under title IV of the clean air act, a complete permit application for an initial phase II acid rain permit shall be considered timely if it is submitted by January 1, 1996, for sulfur dioxide and January 1, 1998, for nitrogen oxides.

(8) For renewal of a renewable operating permit, an administratively complete application shall be considered timely if it is received by the department not more than 18 months, but not less than 6 months, before the expiration date of the current renewable operating permit.

(9) For a stationary source that is not a major source under R 336.1211(1)(a), but is otherwise subject to the requirements of this rule under R 336.1211(1), a complete application is considered timely if it is received by the department in accordance with the following provisions, as applicable:

(a) For an affected source under R 336.1211(1)(b), on or before October 1, 1997.

Annual Administrative Code Supplement
2012 Edition

(b) For a solid waste incineration unit under R 336.1211(1)(c), within 12 months of the date of the promulgation of an applicable requirement under section 129(a) of the clean air act.

(c) For a municipal solid waste landfill under R 336.1211(1)(d), by whichever is the later of the following dates:

(i) November 1, 1998.

(ii) Within 21 months of the effective date of R 336.1931 for implementing the provisions of 40 C.F.R. part 60, subpart Cc.

(iii) Within 15 months of the date the landfill becomes subject to any of the provisions of 40 C.F.R. part 60, subpart WWW.

(10) For modifications to a renewable operating permit, an administratively complete application shall be considered timely if it is received by the department in accordance with the time frames specified in R 336.1216.

(11) Failure to operate in compliance with all terms and conditions of an operating permit is grounds for enforcement action under the act, permit revocation or revision, or denial of a permit renewal application.

(12) Failure to halt or reduce an activity when necessary to comply with an operating permit is grounds for enforcement action.

(13) Submittal of a complete application for a renewable operating permit does not supersede or affect any requirements to obtain a permit to install under R 336.1201.

(14) A person who submits information to the department as a part of an application for a renewable operating permit under a claim of confidentiality, consistent with the requirements of the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, shall submit a copy of the information directly to the United States environmental protection agency.

(15) Except as provided in this subrule, the department shall take final action on each administratively complete application for a renewable operating permit, including an application for permit renewal, within 18 months after the date of receipt by the department of an administratively complete application. The department shall take final action on each timely and administratively complete application for first time issuance of a renewable operating permit for major sources, submitted under subrule (4)(a) to (f) of this rule, in accordance with the following schedule:

(a) By February 28, 1997, for all applications for a renewable operating permit required to be submitted under subrule (4)(a) and (b) of this rule and on all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date on or before May 15, 1996.

(b) By February 28, 1998, for all applications for a renewable operating permit required to be submitted under subrule (4)(c) and (d) of this rule and on all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date from May 16, 1996, to October 15, 1996.

(c) By February 28, 1999, for all applications for a renewable operating permit required to be submitted under subrule (4)(e) of this rule and on all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date from October 16, 1996, to December 15, 1996.

(d) By February 28, 2000, for all applications for a renewable operating permit required to be submitted under subrule (4)(f) of this rule and on all applications submitted under an alternate schedule under subrule (4)(g) of this rule with a submittal date from December 16, 1996, to February 28, 1997.

History: 1995 AACs; 1996 AACs; 1999 AACs; 2001 AACs; 2012 MR 10, Eff. June 1, 2012.

R 336.1211 Renewable operating permit applicability.

Rule 211. (1) All of the following stationary sources are subject to the requirements of R 336.1210 to obtain, and only operate in compliance with, a renewable operating permit:

(a) Major sources as defined by any of the following criteria:

(i) A major source under section 112 of the clean air act, which is defined as any stationary source or group of stationary sources located within a contiguous area and under common control that emits, or has the potential to emit, in the aggregate, any of the following:

(A) Ten tons per year of any hazardous air pollutant that has been listed under section 112(b) of the clean air act.

(B) Twenty-five tons per year of any combination of hazardous air pollutants that have been listed under section 112(b) of the clean air act.

(C) A lesser quantity as the administrator of the United States environmental protection agency may establish by rule for any hazardous air pollutant listed under section 112(b) of the clean air act. The department shall maintain, and make available upon request, a list of the hazardous air pollutants for which a lesser quantity criteria has been established. Emissions from any oil or gas exploration or production well, with its associated equipment, and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not the units are in a contiguous area or under common control, to determine whether the units or stations are major sources under this paragraph. For the purpose of this paragraph, the potential to emit of a stationary source for hazardous air pollutants includes fugitive emissions, regardless of the category of the stationary source.

(ii) A stationary source that directly emits, or has the potential to emit, 100 tons per year or more of any of the following:

(A) Lead.

Annual Administrative Code Supplement
2012 Edition

- (B) Sulfur dioxide.
- (C) Nitrogen oxides.
- (D) Carbon monoxide.
- (E) PM-10.
- (F) PM 2.5.
- (G) Ozone.
- (H) Volatile organic compounds.
- (I) Any air contaminant regulated under section 111 of title I of the clean air act.
- (J) Any class I and class II substances under title VI of the clean air act.

For the purpose of this paragraph, the fugitive emissions of a stationary source shall not be considered in determining whether the stationary source is a major source, unless the stationary source belongs to 1 of the categories listed in the definition of potential to emit in R 336.1116.

(iii) A major stationary source, as defined in part d of title I of the clean air act and R 336.2901(t), including, for ozone nonattainment areas, stationary sources that have the potential to emit 100 tons per year or more of volatile organic compounds or oxides of nitrogen in areas classified as marginal or moderate.

(iv) A stationary source that directly emits, or has the potential to emit, greenhouse gas (GHG) emissions that equal or exceed both of the following:

- (A) 100,000 tons per year carbon dioxide equivalent (CO₂e) emissions on a global warming potential basis.
- (B) 100 tons per year greenhouse gases on a mass basis. For the purpose of this paragraph, the following definitions apply:

(1) GHG is the air pollutant defined as the aggregate group of 6 greenhouse gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(2) CO₂e shall represent an amount of GHGs emitted, and shall be computed by multiplying the mass amount of emissions in tons per year, for each of the 6 greenhouse gases in the pollutant GHGs, by the gas's associated global warming potential published at 40 C.F.R. part 98, Table A-1 to subpart A - Global Warming Potentials, adopted by reference in R 336.1299, and summing the resultant value for each to compute a tons per year CO₂e. For purposes of this paragraph, prior to July 21, 2014, the mass of the greenhouse gas carbon dioxide shall not include carbon dioxide emissions resulting from the combustion or decomposition of non-fossilized and biodegradable organic material originating from plants, animals, or micro-organisms (including products, by-products, residues and waste from agriculture, forestry, and related industries, as well as the non-fossilized and biodegradable organic fractions of industrial and municipal wastes, including gases and liquids recovered from the decomposition of non-fossilized and biodegradable organic material).

For the purpose of this paragraph, the fugitive emissions of a stationary source shall not be considered in determining whether the stationary source is a major source, unless the stationary source belongs to 1 of the categories listed in the definition of potential to emit in R 336.1116.

- (b) Any affected source as defined in section 402 of the clean air act.
- (c) Any solid waste incineration unit, as defined in section 129(g) of the clean air act, that is required to obtain a renewable operating permit under section 129(e) of the clean air act.
- (d) Any municipal solid waste landfill that has a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters.
- (e) Any Portland cement plant subject to 40 C.F.R. part 63, subpart LLL, national emission standards for hazardous air pollutants from the Portland cement manufacturing industry, adopted by reference in R 336.1299, including both of the following:

(i) Each kiln and each in-line kiln/raw mill at any Portland cement plant, including alkali bypasses, except for kilns and in-line kiln/raw mills that burn hazardous waste and are subject to and regulated under 40 C.F.R. part 63, subpart EEE, national emission standards for hazardous air pollutants from hazardous waste combustors, adopted by reference in R 336.1299.

- (ii) Each Greenfield raw material dryer.

(f) Any stationary source in a source category designated by the administrator of the United States environmental protection agency under 40 C.F.R. 70.3, adopted by reference in R 336.1299.

(2) For the purposes of determining the applicability of R 336.1210, the potential to emit of a stationary source shall be the sum of the potential to emit of all process and process equipment located at the stationary source.

(3) The following stationary sources are exempted from the obligation to obtain a renewable operating permit under R 336.1210:

(a) All stationary sources and source categories for which the person owning or operating the stationary source would be required to obtain a permit solely because the stationary source is subject to 40 C.F.R. part 60, subpart AAA, standards of performance for new residential wood heaters, adopted by reference in R 336.1299.

(b) All stationary sources and source categories for which the person owning or operating the stationary source would be required to obtain a permit solely because the stationary source is subject to 40 C.F.R. part 61, subpart M, national emission

Annual Administrative Code Supplement
2012 Edition

standard for hazardous air pollutants for asbestos, and 61.145, standard for demolition and renovation, adopted by reference in R 336.1299.

History: 1995 AACs; 1996 AACs; 1998-2000 AACs; 2001 AACs; 2008 AACs; 2012 MR 10, Eff. June 1, 2012.

R 336.1212

Source: 2003 AACs.

R 336.1213

Source: 2008 AACs.

R 336.1214 Approval of a renewable operating permit.

Rule 214. (1) After the department has received an administratively complete application and all additional information requested by the department pursuant to R 336.1210(3) for a renewable operating permit, significant modification to a renewable operating permit, or the renewal of a renewable operating permit, the department shall prepare a draft permit and a report that sets forth the applicable requirements and factual basis for the draft permit terms and conditions. The report shall include citations of the applicable requirements, an explanation of any equivalent requirements or other changes included in the draft permit pursuant to R 336.1213(2), and any determination made pursuant to R 336.1213(6)(a)(ii) regarding requirements that are not applicable to the stationary source where the draft permit contains only a summary of the determination.

(2) The person who applied for the renewable operating permit shall be provided with a reasonable period of time, but not less than 7 days nor more than 30 days, to review and comment on the draft renewable operating permit, draft renewable operating permit significant modification, or draft renewable operating permit renewal before the start of the public participation procedure specified in subrule (3) of this rule. If the person and the department cannot agree on the terms and conditions of the draft renewable operating permit, the terms and conditions that the department believes are necessary to comply with the requirements of R 336.1213 shall be incorporated into the draft renewable operating permit and the report required by subrule (1) of this rule shall include a discussion of the person's objections.

(3) Except for modifications qualifying for administrative permit amendment procedures pursuant to R 336.1216(1) or minor permit modification procedures pursuant to R 336.1216(2), the draft renewable operating permit, draft renewable operating permit modification, or the draft renewable operating permit renewal shall be subjected to the following public participation procedure before the department submits a proposed renewable operating permit to the United States environmental protection agency for review pursuant to subrule (6) of this rule:

(a) The department shall provide public notice by publication in a newspaper of general circulation in the area where the stationary source is located or in a state publication designed to give general public notice. Notice shall also be provided to persons on a mailing list maintained by the department, including persons who request, in writing, to be on that list, and to any person who requests, in writing, to be notified of a permit action involving a specific stationary source.

(b) The notice shall set forth all of the following information:

(i) The name of the stationary source.

(ii) The name and mailing address of the responsible official.

(iii) The mailing address of the department.

(iv) The activity or activities involved in the proposed permit action.

(v) The emissions change involved in any permit modification.

(vi) The name, address, and telephone number of a representative of the department from whom interested persons may obtain additional information, including copies of the draft permit, the report required under subrule (1) of this rule, and, to the extent provided by the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, the application and any other materials available to the department that are relevant to the permit decision.

(vii) A brief description of the procedures to submit comments.

(viii) The time and place of any hearing that may be held, including a statement of the procedures to request a hearing, unless a hearing has already been scheduled.

(c) The department shall provide not less than 30 days for public comment and shall give notice of any public hearing not less than 30 days in advance of the hearing.

(d) The department shall keep a record of the commenter's and the issues raised during the public participation process and the records shall be available to the public.

(4) The department shall give notice of each draft permit to any affected state on or before the time that the department provides notice to the public pursuant to subrule (3) of this rule, unless R 336.1216(2) requires the timing of the notice to be different. The department shall notify the administrator of the United States environmental protection agency and any affected state, in writing, of any refusal by the department to accept all recommendations for the proposed permit that the

Annual Administrative Code Supplement
2012 Edition

affected state submitted during the public comment period specified in subrule (3)(c) of this rule. The notice shall include the department's reasons for not accepting any recommendation. The department is not required to accept recommendations that are not based on applicable requirements.

(5) After the completion of the public participation procedure specified in subrule (3) of this rule and the review by affected states specified in subrule (4) of this rule, the department shall prepare a proposed renewable operating permit, proposed renewable operating permit significant modification, or proposed renewable operating permit renewal. If the proposed renewable operating permit differs from the draft renewable operating permit in response to substantial and relevant comments from the public or affected states, the person who applied for the renewable operating permit shall be provided with a reasonable period of time, but not less than 7 days nor more than 30 days, to review and comment on the changes before the transmittal of the proposed renewable operating permit to the United States environmental protection agency for review. If the person and the department cannot agree on the changes to the proposed renewable operating permit, the changes that the department believes are necessary to comply with the requirements of R 336.1213 shall be incorporated into the proposed renewable operating permit and the person's objections shall be included in the information transmitted to the United States environmental protection agency for review.

(6) Except as provided in 40 C.F.R. 70.8(a)(1) and (2), adopted by reference in R 336.1299, and as provided in R 336.1210(14), the department shall transmit a copy of each administratively complete application for a renewable operating permit, including any application for a significant modification to a renewable operating permit or for renewal of a renewable operating permit, all additional information submitted pursuant to R 336.1210(3), the report prepared pursuant to subrule (1) of this rule, and the proposed renewable operating permit to the United States environmental protection agency. The department shall not take a final action to issue a renewable operating permit until 45 days after the United States environmental protection agency has received all the information specified in this subrule and subrule (4) of this rule. If the administrator of the United States environmental protection agency objects, in writing, to the renewable operating permit before the end of the 45-day review period specified in this subrule, the department shall not issue the renewable operating permit until the administrator's objection has been resolved. The department shall follow the procedure specified in 40 C.F.R. 70.8(c), adopted by reference in R 336.1299, to resolve the objection. The application shield provided by R 336.1210(1) shall continue to apply to the stationary source, consistent with the provisions of R 336.1210, until the department takes final action on the renewable operating permit.

(7) The department shall make a final decision to issue or deny a renewable operating permit, a significant modification to a renewable operating permit, or the renewal of a renewable operating permit after completion of the review by the United States environmental protection agency specified in subrule (6) of this rule. The final renewable operating permit shall contain all terms and conditions determined by the department to be necessary pursuant to R 336.1213, after consideration of all comments received during public participation pursuant to subrule (3) of this rule and affected state review pursuant to subrule (4) of this rule, including any terms and conditions necessary to resolve any objection by the administrator of the United States environmental protection agency pursuant to subrule (6) of this rule. The department shall transmit a copy of each final renewable operating permit to the United States environmental protection agency. A person aggrieved by the issuance, denial, modification, or renewal of a renewable operating permit may appeal the final decision as provided in section 5506(14) of the act.

(8) Any person may petition the administrator of the United States environmental protection agency to make an objection regarding a renewable operating permit pursuant to 40 C.F.R. 70.8(d), adopted by reference in R 336.1299. The petition shall be filed within 60 days after the expiration of the administrator's 45-day review period specified in subrule (6) of this rule and 40 C.F.R. 70.8(c), adopted by reference in R 336.1299. The petition shall be based only on an objection to the renewable operating permit that was raised with reasonable specificity during the public comment period provided for in subrule (3)(c) of this rule, unless the petitioner demonstrates that it was impracticable to raise the objection during the public comment period or unless the grounds for the objection arose after the public comment period. A petition for review does not stay the effectiveness of a renewable operating permit or its requirements if the renewable operating permit was issued after the end of the 45-day review period and before the department received an objection by the administrator. If the administrator of the United States environmental protection agency objects to the renewable operating permit as a result of a petition filed pursuant to 40 C.F.R. 70.8(d), adopted by reference in R 336.1299, before the department has issued the renewable operating permit, the department shall not issue the renewable operating permit until the administrator's objection has been resolved. The application shield provided by R 336.1210(1) shall continue to apply to the stationary source, consistent with the provisions of R 336.1210, until the department takes final action on the renewable operating permit. If the administrator of the United States environmental protection agency objects to the renewable operating permit as a result of a petition filed pursuant to 40 C.F.R. 70.8(d) after the department has issued the renewable operating permit, the department shall follow the procedure specified in 40 C.F.R. 70.7(g), adopted by reference in R 336.1299, to resolve the objection.

History: 1995 AACs; 1996 AACs; 2001 AACs; 2008 AACs; 2012 MR 10, Eff. June 1, 2012.

Annual Administrative Code Supplement
2012 Edition

R 336.1214a

Source: 2008 AACS.

R 336.1215

Source: 2001 AACS.

R 336.1216

Source: 2003 AACS.

R 336.1217 Renewals and reopenings of renewable operating permits.

Rule 217. (1) All of the following provisions apply to renewals of renewable operating permits:

(a) If a timely and administratively complete application for the renewal of a renewable operating permit is submitted, consistent with R 336.1210(8), and timely and complete additional information is submitted, consistent with R 336.1210(3), but the department has failed to take final action to issue or deny the renewal permit before the end of the term of the previous permit, then the existing renewable operating permit shall not expire until the renewal permit has been issued or denied and any permit shield that may be granted pursuant to R 336.1213(6) shall extend beyond the original permit term until the department takes final action on the renewal permit.

(b) Renewable operating permits that are being renewed are subject to the same procedural requirements, including the requirements for public participation and for review by affected states and the United States environmental protection agency, and the same provisions for appeal that apply to initial issuance of renewable operating permits pursuant to R 336.1214.

(c) Expiration of a renewable operating permit results in the loss of the permit shield provided in R 336.1213(6).

(2) All of the following provisions apply to the reopening for cause of renewable operating permits:

(a) Each renewable operating permit shall include provisions specifying the conditions under which the department shall reopen the renewable operating permit before the expiration of the permit. A permit shall be reopened and revised by the department under any of the following circumstances:

(i) To incorporate new applicable requirements issued or promulgated after the issuance of the renewable operating permit, if 3 or more years remain in the term of the permit. The revision shall occur as expeditiously as practicable, but not later than 18 months after promulgation of the applicable requirement. A revision is not required if the effective date of the new applicable requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended beyond the effective date of the new applicable requirement pursuant to subrule (1)(a) of this rule.

(ii) To incorporate new applicable standards and requirements for affected sources pursuant to title IV of the clean air act.

(iii) If the department determines that the permit contains a material mistake, that information required by any applicable requirement was omitted, or that inaccurate statements were made in establishing the emission limitations or standards or the terms and conditions of the permit.

(iv) If the department determines that the permit must be revised to ensure compliance with the applicable requirements.

(b) Proceedings to reopen and issue a revised renewable operating permit shall follow the same procedures, including the procedures for public participation and for review by affected states and the United States environmental protection agency, and the same provisions for appeal that apply to the initial issuance of a renewable operating permit pursuant to R 336.1214. Any proceeding to reopen and issue a revised renewable operating permit shall affect only those parts of the permit for which cause to reopen exists. The department shall reopen a renewable operating permit as expeditiously as possible after it discovers that cause exists to reopen.

(c) The department shall not initiate a reopening of a renewable operating permit pursuant to subrule (2)(a) of this rule before providing a notice of intent to reopen the renewable operating permit to the person owning or operating the stationary source. The notice shall be provided not less than 30 days in advance of the date that the renewable operating permit is to be reopened and shall specify the reasons for the reopening.

History: 1995 AACS; 2012 MR 10, Eff. June 1, 2012.

R 336.1218

Source: 1995 AACS.

R 336.1219

Source: 2008 AACS.

R 336.1220

Source: 2008 AACS.

Annual Administrative Code Supplement
2012 Edition

- R 336.1221**
Source: 1997 AACS.
- R 336.1224**
Source: 1998-2000 AACS.
- R 336.1225**
Source: 1998-2000 AACS.
- R 336.1226**
Source: 1998-2000 AACS.
- R 336.1227**
Source: 1998-2000 AACS.
- R 336.1228**
Source: 1998-2000 AACS.
- R 336.1229**
Source: 1998-2000 AACS.
- R 336.1230**
Source: 1998-2000 AACS.
- R 336.1231**
Source: 1998-2000 AACS.
- R 336.1232**
Source: 1998-2000 AACS.
- R 336.1240**
Source: 2008 AACS.
- R 336.1241**
Source: 2008 AACS.
- R 336.1277**
Source: 2008 AACS.
- R 336.1278**
Source: 2008 AACS.
- R 336.1278a**
Source: 2003 AACS.
- R 336.1279**
Source: 2003 AACS.
- R 336.1280**
Source: 1995 AACS.
- R 336.1281**
Source: 2008 AACS.
- R 336.1282**
Source: 2003 AACS.
- R 336.1283**
Source: 1997 AACS.

Annual Administrative Code Supplement
2012 Edition

R 336.1284
Source: 2008 AACS.

R 336.1285
Source: 2008 AACS.

R 336.1286
Source: 1997 AACS.

R 336.1287
Source: 2003 AACS.

R 336.1288
Source: 2008 AACS.

R 336.1289
Source: 2003 AACS.

R 336.1290
Source: 1997 AACS.

R 336.1299 Adoption of standards by reference.

Rule 299. (1) The following standards are adopted in these rules by reference and are available as noted:

(a) "2011 TLVs and BEIs. Threshold Limit Values for Chemical Substances and Physical Agents. Biological Exposure Indices," American conference of governmental industrial hygienists. For the purposes of R 336.1232, the chemical names and threshold limit values are adopted by reference. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$59.95, or from the American Conference of Governmental Industrial Hygienists, 1330 Kemper Meadow Drive, Cincinnati, Ohio 45240, at a cost as of the time of adoption of these rules of \$49.95. The American Conference of Governmental Industrial Hygienists can also be contacted on the internet at www.acgih.org, by telephone at 513-742-2020, or by email at mail@acgih.org.

(b) "NIOSH Pocket Guide to Chemical Hazards," national institute for occupational safety and health, 2005 edition – 3rd printing. For the purposes of R 336.1232, the chemical names and NIOSH-recommended exposure levels are adopted by reference. A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality. A copy may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$40.00, or from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, NTIS document PB2009103456, at a cost as of the time of adoption of these rules of \$30.00. The National Technical Information Service can also be contacted on the internet at www.ntis.gov or by telephone at 1-800-553-6847.

(c) "Guidelines for Carcinogen Risk Assessment," EPA/630/P-03/001F, March 2005. Copies may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at no cost, or from the Integrated Risk Information System (IRIS) Hotline, c/o EPA Docket Center, Mail Code 28221T, EPA-West Building, 1301 Constitution Avenue NW, Washington, DC 20005; at no cost. The IRIS Hotline can also be contacted via email at hotline.iris@epa.gov or by telephone at 202-566-1676.

(2) The following standards are adopted in these rules by reference and are available as noted. Copies are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules (AQD price). Copies may be obtained from the Superintendent of Documents, U.S. Government Printing Office, 732 North Capitol Street, NW, Washington, DC 20401, by calling 1-866-512-1800 or by accessing their online bookstore at <http://bookstore.gpo.gov> at a cost as of the time of adoption of these rules (GPO price). The standards can be viewed and/or printed free of charge at <http://ecfr.gpoaccess.gov>.

(a) The federal acid rain program, 40 C.F.R. 72.1 to 72.96 (2011), 40 C.F.R. 74.1 to 74.61 (2011), and 40 C.F.R. 76.1 to 76.15 (2011); AQD price \$78.00/\$68.00 GPO price for parts 72-80. When used in these federal regulations, the term "permitting authority" shall mean the department and the term "administrator" shall mean the administrator of the U.S.

Annual Administrative Code Supplement
2012 Edition

environmental protection agency. If the provisions or requirements of 40 C.F.R. 72.1 to 72.96, 40 C.F.R. 74.1 to 74.61, or 40 C.F.R. 76.1 to 76.15 conflict with, or are not included in, R 336.1210 to R 336.1218, then the 40 C.F.R. 72.1 to 72.96 and 40 C.F.R. 76.1 to 76.15 provisions and requirements shall apply and take precedence.

(b) The federal hazardous air pollutant regulations governing constructed or reconstructed major sources, 40 C.F.R. 63.40 to 63.44 (2011) and 63.50 to 63.56 (2011); AQD price \$74.00/\$64.00 GPO price for part 63 (63.1-63.599). When used in these federal regulations, the term “permitting authority” shall mean the department and the term “administrator” shall mean the administrator of the U.S. environmental protection agency.

(c) The federal compliance assurance monitoring regulations, 40 C.F.R. 64.1 to 64.10 (2011); AQD price \$44.00/\$34.00 GPO price for parts 64-71. When used in these federal regulations, the term “permitting authority” shall mean the department, and the term “administrator” shall mean the administrator of the U.S. environmental protection agency.

(d) Title 40 C.F.R. 51.160(f), “Legally enforceable procedures,” and appendix W, “Guideline on Air Quality Models” (2011); AQD price \$61.00/\$51.00 GPO price for parts 50-51.

(3) For the purpose of clarifying the definitions in these rules, the following documents are adopted by reference in these rules. Copies are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules (AQD price). Copies of the documents may be obtained from the Superintendent of Documents, U.S. Government Printing Office, 732 North Capitol Street, NW, Washington, DC 20401, by calling 1-866-512-1800 or by accessing their online bookstore at <http://bookstore.gpo.gov> at a cost as of the time of adoption of these rules (GPO price). The documents can be viewed and/or printed free of charge at <http://ecfr.gpoaccess.gov>.

(a) Title 40 C.F.R. 51.165, “Permit requirements,” and 51.166, “Prevention of significant deterioration of air quality” (2011); AQD price \$61.00/\$51.00 GPO price for parts 50-51.

(b) Title 40 C.F.R. 52.21, “Prevention of Significant Deterioration of Air Quality” (2011); AQD price \$74.00/\$64.00 GPO price for part 52 (52.1-52.1018).

(c) Title 40 C.F.R., part 60, “Standards of Performance for New Stationary Sources,” (2011); AQD price \$74.00/\$64.00 GPO price for part 60 (60.1-end) and AQD price \$73.00/\$63.00 GPO price for the appendices (2011).

(d) Title 40 C.F.R., part 61, “National Emission Standards for Hazardous Air Pollutants” (2011); AQD price \$61.00/\$51.00 GPO price for parts 61-62.

(e) Title 40 C.F.R. 63.2, “Definitions,” and 63.5(b)(3), “Requirements for existing, newly constructed, and reconstructed sources” (2011); AQD price \$74.00/\$64.00 GPO price for part 63 (63.1-63.599).

(f) Title 40 C.F.R. part 63, subpart EEE, “National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors” (2011); AQD price \$66.00/\$56.00 GPO price for part 63 (63.1200-63.1439).

(g) Title 40 C.F.R. part 63, subpart LLL, “National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry” (2011); AQD price \$66.00/\$56.00 GPO price for part 63 (63.1200-63.1439).

(h) Title 40 C.F.R. 70.3, “Applicability” (2011); AQD price \$44.00/\$34.00 GPO price for parts 64-71.

(i) Title 40 C.F.R. 70.7(g), “Re-openings for cause by EPA” (2011); AQD price \$44.00/\$34.00 GPO price for parts 64-71.

(j) Title 40 C.F.R. 70.8(a)(1) and (2), “Transmission of information to the Administrator” (2010); AQD price \$44.00/\$34.00 GPO price for parts 64-71.

(k) Title 40 C.F.R. 70.8(c), “EPA objection” (2010); AQD price \$44.00/\$34.00 GPO price for parts 64-71.

(l) Title 40 C.F.R. 70.8(d), “Public petitions to the Administrator” (2011); AQD price \$44.00/\$34.00 GPO price for parts 64-71.

(m) Title 40 C.F.R., part 98, subpart A, “Table A-1 – Global Warming Potentials” (2011); AQD Price \$76.00/\$66.00 GPO price for part 98 (96 – 99).

(4) The American Society for Testing and Materials (ASTM) methods are adopted in these rules by reference. Copies are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at the cost at the time of adoption of these rules (AQD price). Copies may also be obtained from ASTM International, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959; the ASTM website at www.astm.org; or ASTM customer service at (610) 832-9585 or service@astm.org; at a cost as of the time of adoption of these rules (ASTM price) as follows:

(a) ASTM D396-010, “Standard Specification for Fuel Oils,” AQD price \$49.00/\$39.00 ASTM price.

(b) ASTM D2880-03 (2010), “Standard Specification for Gas Turbine Fuel Oils,” AQD price \$49.00/\$39.00 ASTM price.

(c) ASTM D975-11, “Standard Specification for Diesel Fuel Oils,” AQD price \$65.00/\$55.00 ASTM price.

History: 1992 AACS; 1995 AACS; 1998-2000 AACS; 2001 AACS; 2003 AACS; 2008 AACS; 2012 MR 10, Eff. June 1, 2012.

PART 3. EMISSION LIMITATIONS AND PROHIBITIONS—PARTICULATE MATTER

Annual Administrative Code Supplement
2012 Edition

R 336.1301

Source: 2002 AACS.

R 336.1302

Source: 1997 AACS.

R 336.1303

Source: 2002 AACS.

R 336.1310

Source: 1998-2000 AACS.

R 336.1320

Source: 1998-2000 AACS.

R 336.1330

Source: 2002 AACS.

R 336.1331

Source: 2002 AACS.

R 336.1349 Rescinded.

History: 1980 AACS; 2012 MR 19, Eff. Oct. 8, 2012.

R 336.1350

Source: 1985 AACS.

R 336.1351

Source: 1985 AACS.

R 336.1352

Source: 1985 AACS.

R 336.1353

Source: 1985 AACS.

R 336.1354

Source: 1985 AACS.

R 336.1355

Source: 1985 AACS.

R 336.1356

Source: 1985 AACS.

R 336.1357

Source: 1985 AACS.

R 336.1358

Source: 1998-2000 AACS.

R 336.1359

Source: 1985 AACS.

R 336.1360

Source: 1985 AACS.

Annual Administrative Code Supplement
2012 Edition

R 336.1361
Source: 1998-2000 AACS.

R 336.1362
Source: 1998-2000 AACS.

R 336.1363
Source: 1998-2000 AACS.

R 336.1364
Source: 1985 AACS.

R 336.1365
Source: 1985 AACS.

R 336.1366
Source: 1985 AACS.

R 336.1367
Source: 1985 AACS.

R 336.1370
Source: 1981 AACS.

R 336.1371
Source: 2002 AACS.

R 336.1372
Source: 2002 AACS.

R 336.1374
Source: 2002 AACS.

PART 4. EMISSION LIMITATIONS AND PROHIBITIONS—SULFUR-BEARING COMPOUNDS

R 336.1401
Source: 2008 AACS.

R 336.1401a
Source: 2008 AACS.

R 336.1402
Source: 2008 AACS.

R 336.1403
Source: 2002 AACS.

R 336.1404
Source: 2008 AACS.

R 336.1405
Source: 2008 AACS.

R 336.1406
Source: 2008 AACS.

R 336.1407
Source: 2008 AACS.

Annual Administrative Code Supplement
2012 Edition

R 336.1420
Source: 2008 AACS.

PART 5. EXTENSION OF SULFUR DIOXIDE COMPLIANCE

DATE FOR POWER PLANTS PAST JANUARY 1, 1980

R 336.1501
Source: 1997 AACS.

R 336.1502
Source: 1997 AACS.

R 336.1503
Source: 1997 AACS.

R 336.1504
Source: 1997 AACS.

R 336.1505
Source: 1997 AACS.

R 336.1506
Source: 1997 AACS.

R 336.1507
Source: 1997 AACS.

**PART 6. EMISSION LIMITATIONS AND PROHIBITIONS—EXISTING SOURCES OF VOLATILE ORGANIC
COMPOUND EMISSIONS**

R 336.1601
Source: 2002 AACS.

R 336.1602
Source: 2002 AACS.

R 336.1603
Source: 1997 AACS.

R 336.1604
Source: 2002 AACS.

R 336.1605
Source: 2002 AACS.

R 336.1606
Source: 2002 AACS.

R 336.1608
Source: 2002 AACS.

R 336.1609
Source: 1989 AACS.

R 336.1610

Annual Administrative Code Supplement
2012 Edition

Source: 2002 AACS.

R 336.1615

Source: 2002 AACS.

R 336.1611

Source: 1997 AACS.

R 336.1612

Source: 1997 AACS.

R 336.1613

Source: 1997 AACS.

R 336.1614

Source: 1997 AACS.

R 336.1615

Source: 1980 AACS.

R 336.1616

Source: 2002 AACS.

R 336.1617

Source: 2002 AACS.

R 336.1618 Use of cutback or emulsified paving asphalt.

Rule 618. (1) After May 1, 2012, a person shall not manufacture, mix, store, use, or apply cutback or emulsified paving asphalts, from May 1 to September 30, unless the cutback or emulsified paving asphalt contains no greater than 3 percent volatile organic compounds by volume, which is equivalent to 6.0 milliliters of oil distillate at 500 degrees Fahrenheit as determined by a test method in subrule (2) of this rule. This rule is applicable to both existing and new sources as defined by the dates in R 336.1601(a)(i) and R 336.1701.

(2) Compliance with subrule (1) of this rule shall be determined by 1 of the following test methods:

(a) ASTM Method D6997, Standard Test Methods and Practices for Emulsified Asphalts.

(b) AASHTO T59 Standard Method of Test for Testing Emulsified Asphalts.

(c) ASTM Method D402, Standard Test Method For Distillation of Cutback Asphaltic Products.

(d) AASHTO T78, Standard Method of Test for Cutback Asphaltic Products.

(3) The above test methods are adopted in these rules by reference and are available by the following:

(a) A copy may be inspected at the Lansing office of the air quality division of the department of environmental quality.

(b) A copy may be obtained from the Department of Environmental Quality, Air Quality Division, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules of \$50.00 for ASTM and \$75.00 for AASHTO.

(c) ASTM Method D6997 and D402 are available from the American Society for Testing and Materials, 100 Barr Harbor Drive, Post Office Box C700, West Conshohocken, Pennsylvania 19428-2959, or from its website www.astm.org at a cost of \$35.00 and \$40.00 respectively.

(d) AASHTO T59 and T78 are available from the American Association of State Highway and Transportation Officials, 444 North Capitol Street N.W., Suite 249, Washington, DC 20001, or from its website www.transportation.org for a cost of \$65.00 and \$40.00 respectively.

(4) Any person subject to this rule shall maintain records of the manufacture, mixing, storage, use or application of any cutback or emulsified paving asphalt containing volatile organic compounds during the period May 1 to September 30. The records shall include information on the volatile organic compound content documented in the product data sheets or material safety data sheets. The records shall be available to any representative of the department during normal business hours, and copies shall be provided to the department upon request.

(5) The following definitions apply to this rule and supersede any similar definitions in R 336.1103.

(a) "Asphalt" means a dark-brown to black solid, liquid or semisolid cementitious material composed primarily of bitumens that occur naturally or are obtained as a residue of petroleum refining.

Annual Administrative Code Supplement
2012 Edition

(b) “Cutback paving asphalt” means asphalt which has been liquefied by blending with an organic solvent and which is used for the purpose of paving or repairing, or paving and repairing, a road surface.

(c) “Emulsified paving asphalt” means asphalt which has been liquefied by mixing with water and an emulsifying agent and which is used for the purpose of paving or repairing, or paving and repairing, a road surface.

History: 1980 AACS; 2002 AACS; 2012 MR 22, Eff. Nov. 30, 2012.

R 336.1619

Source: 2002 AACS.

R 336.1620

Source: 1998-2000 AACS.

R 336.1621

Source: 1998-2000 AACS.

R 336.1622

Source: 2002 AACS.

R 336.1623

Source: 2002 AACS.

R 336.1624

Source: 1998-2000 AACS.

R 336.1625

Source: 1998-2000 AACS.

R 336.1626

Source: 1997 AACS.

R 336.1627

Source: 2006 AACS.

R 336.1628

Source: 2002 AACS.

R 336.1629

Source: 2002 AACS.

R 336.1630

Source: 2002 AACS.

R 336.1631

Source: 2002 AACS.

R 336.1632

Source: 1993 AACS.

R 336.1651

Source: 2002 AACS.

R 336.1660

Source: 2007 AACS.

R 336.1661

Source: 2007 AACS.

PART 7. EMISSION LIMITATIONS AND PROHIBITIONS—NEW SOURCES OF VOLATILE ORGANIC

COMPOUND EMISSIONS

R 336.1701
Source: 2002 AACS.

R 336.1702
Source: 2002 AACS.

R 336.1703
Source: 2002 AACS.

R 336.1704
Source: 2002 AACS.

R 336.1705
Source: 2002 AACS.

R 336.1706
Source: 1997 AACS.

R 336.1707
Source: 1997 AACS.

R 336.1708
Source: 1997 AACS.

R 336.1709
Source: 1997 AACS.

R 336.1710
Source: 1997 AACS.

PART 8. EMISSION LIMITATIONS AND PROHIBITIONS--OXIDES OF NITROGEN

R 336.1801
Source: 2009 AACS.

R 336.1802
Source: 2004 AACS.

R 336.1802a
Source: 2009 AACS.

R 336.1803
Source: 2009 AACS.

R 336.1804
Source: 2004 AACS.

R 336.1805
Source: 2002 AACS.

R 336.1806
Source: 2002 AACS.

R 336.1807
Source: 2002 AACS.

Annual Administrative Code Supplement
2012 Edition

R 336.1808
Source: 2002 AACS.

R 336.1809
Source: 2002 AACS.

R 336.1810
Source: 2002 AACS.

R 336.1811
Source: 2004 AACS.

R 336.1814
Source: 2002 AACS.

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R 336.1815
Source: 2002 AACS.

R 336.1816
Source: 2002 AACS.

R 336.1817
Source: 2002 AACS.

R 336.1818
Source: 2006 AACS.

R 336.1821
Source: 2009 AACS.

R 336.1822
Source: 2009 AACS.

R 336.1823
Source: 2009 AACS.

R 336.1824
Source: 2007 AACS.

R 336.1825
Source: 2007 AACS.

R 336.1826
Source: 2007 AACS.

R 336.1830
Source: 2009 AACS.

R 336.1831
Source: 2009 AACS.

R 336.1832
Source: 2009 AACS.

R 336.1833
Source: 2009 AACS.

R 336.1834

Annual Administrative Code Supplement
2012 Edition

Source: 2007 AACS.

PART 9. EMISSION LIMITATIONS AND PROHIBITIONS—MISCELLANEOUS

R 336.1901

Source: 2002 AACS.

R 336.1902

Source: 2008 AACS.

R 336.1906

Source: 2002 AACS.

R 336.1910

Source: 1980 AACS.

R 336.1911

Source: 2002 AACS.

R 336.1912

Source: 1995 AACS.

R 336.1913

Source: 2001 AACS.

R 336.1914

Source: 2001 AACS.

R 336.1915

Source: 2002 AACS.

R 336.1916

Source: 2002 AACS.

R 336.1930

Source: 2002 AACS.

R 336.1931

Source: 2002 AACS.

R 336.1932

Source: 2002 AACS.

R 336.1933

Source: 1998-2000 AACS.

R 336.1940

Source: 2008 AACS.

R 336.1941

Source: 2008 AACS.

R 336.1942

Source: 2008 AACS.

R 336.1943

Source: 2008 AACS.

Annual Administrative Code Supplement
2012 Edition

R 336.1944
Source: 2008 AACS.

R 336.1945
Source: 2008 AACS.

R 336.1946
Source: 2008 AACS.

R 336.1947
Source: 2008 AACS.

R 336.1970
Source: 2008 AACS.

R 336.1971
Source: 2008 AACS.

PART 10. INTERMITTENT TESTING AND SAMPLING

R 336.2001
Source: 2009 AACS.

R 336.2002
Source: 2002 AACS.

R 336.2003
Source: 2002 AACS.

R 336.2004
Source: 2009 AACS.

R 336.2005
Source: 2006 AACS.

R 336.2006
Source: 1993 AACS.

R 336.2007
Source: 2002 AACS.

R 336.2010
Source: 1997 AACS.

R 336.2011
Source: 2005 AACS.

R 336.2012
Source: 2002 AACS.

R 336.2013
Source: 2002 AACS.

R 336.2014
Source: 2002 AACS.

R 336.2021

Annual Administrative Code Supplement
2012 Edition

Source: 2002 AACS.

R 336.2030

Source: 1985 AACS.

R 336.2031

Source: 1985 AACS.

R 336.2032

Source: 1985 AACS.

R 336.2033

Source: 1985 AACS.

R 336.2040

Source: 2002 AACS.

R 336.2041

Source: 2002 AACS.

PART 11. CONTINUOUS EMISSION MONITORING

R 336.2101

Source: 2002 AACS.

R 336.2102

Source: 1980 AACS.

R 336.2103

Source: 1980 AACS.

R 336.2104

Source: 2009 AACS.

R 336.2150

Source: 2009 AACS.

R 336.2151

Source: 1989 AACS.

R 336.2152

Source: 1980 AACS.

R 336.2153

Source: 1989 AACS.

R 336.2154

Source: 1980 AACS.

R 336.2155

Source: 2002 AACS.

R 336.2156

Source: 2009 AACS.

R 336.2157

Source: 2009 AACS.

R 336.2158

Annual Administrative Code Supplement
2012 Edition

Source: 2009 AACS.

R 336.2159

Source: 2002 AACS.

R 336.2160

Source: 2009 AACS.

R 336.2161

Source: 2009 AACS.

R 336.2170

Source: 2002 AACS.

R 336.2175

Source: 2002 AACS.

R 336.2176

Source: 1989 AACS.

R 336.2189

Source: 2002 AACS.

R 336.2190

Source: 2002 AACS.

R 336.2199

Source: 1997 AACS.

PART 12. EMISSION AVERAGING AND EMISSION REDUCTION CREDIT TRADING

R 336.2201

Source: 2007 AACS.

R 336.2202

Source: 2007 AACS.

R 336.2203

Source: 2007 AACS.

R 336.2204

Source: 2007 AACS.

R 336.2205

Source: 2007 AACS.

R 336.2206

Source: 2007 AACS.

R 336.2207

Source: 2007 AACS.

R 336.2208

Source: 2007 AACS.

R 336.2209

Source: 2007 AACS.

Annual Administrative Code Supplement
2012 Edition

R 336.2210
Source: 2007 AACS.

R 336.2211
Source: 2007 AACS.

R 336.2212
Source: 2007 AACS.

R 336.2213
Source: 2007 AACS.

R 336.2214
Source: 2007 AACS.

R 336.2215
Source: 2007 AACS.

R 336.2216
Source: 2007 AACS.

R 336.2217
Source: 2007 AACS.

R 336.2218
Source: 2007 AACS.

PART 13. AIR POLLUTION EPISODES

R 336.2301
Source: 1997 AACS.

R 336.2302
Source: 1997 AACS.

R 336.2303
Source: 1997 AACS.

R 336.2304
Source: 1997 AACS.

R 336.2305
Source: 1997 AACS.

R 336.2306
Source: 1997 AACS.

R 336.2307
Source: 1997 AACS.

R 336.2308
Source: 1997 AACS.

PART 14. CLEAN CORPORATE CITIZEN PROGRAM

Annual Administrative Code Supplement
2012 Edition

R 336.2401
Source: 1998-2000 AACS.

R 336.2402
Source: 1998-2000 AACS.

R 336.2403
Source: 1998-2000 AACS.

R 336.2404
Source: 1998-2000 AACS.

R 336.2405
Source: 1998-2000 AACS.

R 336.2406
Source: 1998-2000 AACS.

R 336.2407
Source: 1998-2000 AACS.

R 336.2408
Source: 1998-2000 AACS.

R 336.2409
Source: 1998-2000 AACS.

R 336.2412
Source: 1998-2000 AACS.

R 336.2413
Source: 1997 AACS.

R 336.2414
Source: 1997 AACS.

R 336.2415
Source: 1997 AACS.

R 336.2420
Source: 1998-2000 AACS.

PART 15. EMISSION LIMITATIONS AND PROHIBITIONS—MERCURY

R 336.2501
Source: 2009 AACS.

R 336.2502
Source: 2009 AACS.

R 336.2503
Source: 2009 AACS.

R 336.2504
Source: 2009 AACS.

R 336.2505
Source: 2009 AACS.

Annual Administrative Code Supplement
2012 Edition

R 336.2506
Source: 2009 AACCS.

R 336.2507
Source: 2009 AACCS.

R 336.2508
Source: 2009 AACCS.

R 336.2509
Source: 2009 AACCS.

R 336.2510
Source: 2009 AACCS.

R 336.2511
Source: 2009 AACCS.

R 336.2512
Source: 2009 AACCS.

R 336.2513
Source: 2009 AACCS.

R. 336.2514
Source: 2009 AACCS.

PART 16. ORGANIZATION, OPERATION, AND PROCEDURES

R 336.2601
Source: 1997 AACCS.

R 336.2602
Source: 1997 AACCS.

R 336.2603
Source: 1997 AACCS.

R 336.2604
Source: 1997 AACCS.

R 336.2605
Source: 1997 AACCS.

R 336.2606
Source: 1980 AACCS.